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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, July 3, 1975.

The City Planning Commission met pursuant to notice on Thursday, July 3, 1975, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); Sidney Shaw, Planner IV; Alec Bash, City Planning Coordinator; Alan Billingsley, Planner II; Robert Feldman, Planner II; Paul Rosetter, Planner II; Nathaniel Taylor, Planner II; Gary Craft, Planner I; Sally Digges, City Planning Intern; Debbie Kogan, City Planning Intern; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Alan Cline represented the San Francisco Examiner; and Mark Elliott represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Miller, and carried unanimously that the minutes of the meeting of May 29, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that the City-Wide Comprehensive Plans Committee meeting scheduled for next Thursday will be cancelled.

The Director asked if members of the Commission wished to take a field trip to property at 4050 - 17th Street prior to its Regular Meeting next Thursday. That property will be the subject of a draft Enviromental Impact Report to be considered by the Commission later that afternoon. The Commission requested that the field trip be scheduled at 1:45 p.m. on Thursday, July 10.

CITY PLANNING COMMISSION

SAN FRANCISCO

Commissioner Fleishhacker quoted from an article which appeared in the San Francisco Examiner on Tuesday, July 1, as follow:

"Some of the biggest increases in assessed value in San Francisco this year are recorded in residential areas where Mayor Alioto's planning commission,guided by Allan B. Jacobs, has achieved downzoning in recent years to protect the quality of neighborhoods.

"Values on homes in these areas of the inner Richmond, inner Sunset and Pacific Heights rose by from 25 to more than 40 per cent."

Commissioner Fleishhacker noted that much of the "downzoning" which had been mentioned in the article had been the result of actions taken by the Board of Supervisors, not the City Planning Commission; and, in any case, he emphasized that assessments are determined by the selling price of property and not by zoning. Under the circumstances. he felt that the article's implication that the Commission was somehow responsible for the increased assessments was in error.

At this point in the proceedings, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

CU75.27 - 1356 FULTON STREET, NORTH SIDE, 220 FEET WEST OF DIVISADERO STREET. REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 25 MENTALLY DISTURBED PERSONS; IN AN R-3 DISTRICT. (PREVIOUSLY AUTHORIZED FOR A PERIOD OF TWO YEARS PURSUANT TO APPLICATION NO. CU73.25 ON JULY 12, 1973.)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with a 30-foot frontage on Fulton Street and a depth of 137.5 feet for a total area of 4,125 square feet. The building occupying the site is presently used as a residential care home for 25 mentally disturbed people under a Conditional Use Authorization granted for a period of 2 years by the Commisssion on July 5, 1973. The operator of the residential care home was requesting permission to continue the use. While the staff of the Department of City Planning had not yet completed work on a city-wide map showing the location of residential care facilities, a map was available showing the location of such facilities in the subject neighborhood; and he distributed the map to members of the Commission.

Mary Clemons, the applicant, stated that she was merely requesting permission to continue the use and that she was not proposing to change the use or alter the building.

No one else was present in the audience to be heard on this matter

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to six specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. He then summarized the conditions and explained that they were substantially the same as the conditions which had been applied when the Conditional Use Authorization for the facility was first granted by the Commission.

President Newman asked if the staff was recommending that a time limit be established for the new authorization. Mr. Steele replied in the negative.

President Newman then asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mrs. Clemons replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7345 and that the application be approved subject to the conditions which had been recommended by the staff.

CU75.28 - 998 EGBERT AVENUE, THE TWO BLOCKS BOUNDED BY EGBERT AND DONNER AVENUES, FITCH AND DONAHUE STREETS. REQUEST FOR AUTHORIZATION TO CONTINUE THE EXISTING USE, FOR AUTOMOBILE WRECKING IN AN OPEN YARD, FOR A PERIOD OF THREE YEARS; IN AN M-1 AND AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of two blocks, each having an area of 120,000 square feet. He stated that both blocks are presently used by the Tow Car Association, one for the storage of inoperable or abandoned vechicles and the other as a nonconforming industrial yard used for vehicle storage and automobile wrecking. Authorization for automobile dismantling activities in the area had first been granted by the City Planning Commission in 1964 and had been renewed on several occasions because of the Tow Car Association's inability to find a suitable relocation site. The last extension was approved for a one year period by the Commission on August 1, 1974. The Commission had approved a conditional use application last year which would have permitted the Tow Car Association to relocate to another site; but that approval had been overruled by the Board of Supervisors on appeal.

Stephan Leonoudakis, attorney for the Tow Car Association Inc., emphasized that the Tow Car Association has a contract with the City and County of San Francisco which gives it responsibility for removing abandoned automobiles from local streets. He stated that the Tow Car Association had been working with various city agencies in an attempt to find an alternate site for the storage yard; but the search had thus far been unsuccessful. Under the circumstances, he felt that the best interests of the city would be served if the request for extension of the Conditional Use Authorization were approved.

Commissioner Fleishhacker, noting that the search for an alternate site had been going on for a number of years, asked Mr. Leonoudakis if he felt that their was any real possibility that an alternate site would be found. Mr. Leonoudakis replied that the search for an alternate site was a difficult process. While everyone seemed to agree that the service provided by the Tow Car Association is necessary, no one wants to have a storage yard located in their neighborhood.

Dean L. Macris, Director of Planning, advised the Commission that the Department of City Planning and the Mayor's Office of Economic Development had been investigating the possibility of relocating the Tow Car Association and other automobile dismantlers to a single building where their operations could be conducted indoors. If such an approach were acceptable to the automobile dismantlers, a building might be purchased by the City, which could in turn lease space to the individual dismantlers. While the City and County of San Francisco has contracted the responsibility for removing abandoned automobiles from local streets to the Tow Car Association, he noted that most other cities have assigned that responsibility to their local police departments; and, if San Francisco wisnes to continue its contractual arrangement with the Tow Car Association, a suitable location for the association's storage yard will have to be found. He was hopeful that the problem could be resolved.

No one else was present in the audience to be heard in support of or in opposition to the subject application.

Mr. Steele stated that it was the recommendation of the Director of Planning that the conditional use authorization be extended for a period of 18 months subject to 10 specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. He stated that the recommendation to limit the extension to a period of 18 months rather than 3 years, as requested by the applicant,was made because the staff felt that continuation of the present use for 18 months would not conflict with development of the

adjacent Shoreline Park and because the nonconforming use of the residentially-zoned block will automatically terminate on January 28, 1977, in any case. He then summarized and commented on the conditions which were contained in the draft resolution.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Leonoudakis replied that he was concerned about Condition No. 10 of the draft resolution which specified that a proper legally binding bond approved by the City Attorney as to form, and the Controller as to surety, in the amount of $50,000 should be posted by the applicant with the Department of City Planning guaranteeing that the site would be cleared of all vehicles, parts, fences, equipmnet, and debris by the termination date of the conditional use authorization. He stated that his clients had tried to obtain such a bond and had been unsuccessful. Therefore, as an alternative to the bond which had been recommended by the staff, the Tow Car Association was proposing that its 12 participants should agree to indemnify the City for any clearance required after the site has been vacated, on a prorated basis.

Mr. Steele stated that an agreement guaranteeing that the site would be cleared, subject to approval as to form by the City Attorney, might be acceptable if the applicants were, in fact, unable to obtain a surety bond.

Commissioner Porter asked how the staff had arrived at the figure of $50,000 for the surety bond. Mr. Steele replied that the figure was an estimate based on updated information which was available from the redevelopment agency's experience with clearance of the India Basin area.

After discussion among members of the Commission, it was recommended by President Newman that the 10th condition of the draft resolution be amended to read as follows:

> "A proper legally binding guarantee approved by the City Attorney as to form and the Controller as to surety shall be posted by the applicant with the Department of City Planning guaranteeing site clearance as specified in Condition No. 9."

After further discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution, as modified, be adopted as City Planning Commission Resolution No. 7346 and that the Conditional Use Authorization be extended for a period of 18 months subject to the conditions contained in the draft resolution, as modified.

CU75.29 - 409 CLAYTON STREET, WEST SIDE, 100 FEET SOUTH OF OAK STREET.
REQUEST FOR AUTHORIZATION TO CONTINUE THE EXISTING USE BY THE ECUMENICAL MINISTRY AND THE HAIGHT ASHBURY DRUG TRAINING & EDUCATION PROJECT, AN ELEEMOSYNARY INSTITUTION; IN AN R-3.5 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular lot with a 25-foot frontage on Clayton Street and a depth of 106.25 feet for a total area of 2,656.25 square feet. The property is occupied by a three-story, single-family dwelling which has been used since 1968 by two philanthropic organizations. The first floor is operated by the Ecumenical Ministry in the Haight Ashbury, Inc.; and the second floor is occupied by the Haight Ashbury Drug Training & Education Project, an activity of Youth Projects, Inc. Both are California non-profit agencies. The Ecumenical Ministry provides a counseling and information service, primarily by telephone, with occasional drop-in visits. The living room is occasionally used by neighborhood groups working on local issues. The Haight Ashbury Drug Training & Education Project provides training to medical students in the area of drug treatment and counseling, using lectures and demonstrations by consultants and resident staff of the Haight Ashbury Free Medical Clinic Medical Section and Drug Detoxification Section. Class size is limited to 12 to 15 students on a quarterly basis. The applicant had requested that the existing uses of the building be legalized by approval of the conditional use application.

President Newman stated that approximately 15 letters had been received in support of the subject application and that one letter and two telephone calls had been received in opposition to the proposal.

Scott Hansen, attorney for the applicant, emphasized that the subject building had been used for its present purposes for the past seven years. The Haight Ashbury Drug Training & Education Project is a Federally-funded project whose operations are similar to those of another organization which has been granted a conditional use authorization for occupancy of a building approximately one-half block away on Clayton Street. The Ecumenical Ministry in the Haight Ashbury provides counseling and information service. Both organizations have a combined staff of only six individuals; and most of those prople live in the neighborhood and walk or take public transportation to work.

In reply to a question raised by Commissioner Rueda, Mr. Hansen stated that Federal funds for the Haight Ashbury Drug Training & Education Project are renewed on an annual basis.

Dr. Ervin Clampett, representing the Haight Ashbury Drug Training & Education Project, stated that his project had received Federal backing for the past two years. However, the project was funded by other sources prior to that time; and he expected the project to continue irrespective of the availability of Federal funds. He stated that the project trains 15 medical students at a time in 12 week sessions; and, during the past two years, the project had trained 120 students including five foreign students. Students being trained at the present time have come from 14 different medical schools. Most of the students live in the area and walk to their classes; and, since some students are always in the field, there are generally no more than 10 or 12 students in the building at any one time. Occasionally, a patient is brought to the projects headquarters for demonstration purposes.

Commissioner Fleishhacker noted that a letter had been recieved from the Haight Ashbury Improvement Association in opposition to the subject applicition on the basis that residential buildings should not be used for non-residential uses. The letter had further stated that "Only 20 percent of the patients treated at the detoxification clinic are from the Haight Ashbury". But he remarked that it was his understanding, based on the testimony of the applicants,that the detoxification unit is located in another building on Clayton Street and that the Haight Ashbury Drug Training & Education Project is involved only in the training of medical students.

President Newman asked Dr. Clampett what his organization would do if the subject conditional use approval were not approved. Dr. Clampett replied that his project had occupied other buildings in the past; and he felt that it would be possible to find alternate sites in the future. However, continued occupancy of the subject building would be desirable because of the centralization which it provides.

Commissioner Porter asked Dr. Clampett if he had received any complaints regarding occupancy of the subject building by his organization during the past two years. Dr. Clampett replied in the negative, pointing out that the exterior of the building had recently been painted and that it is one of the best looking buildings in the block.

Commissioner Porter then asked if it was likely that the building would be occupied by a single family or that it would be subdivided into two or three dwelling units if the conditional use authorization were not granted. Dr. Clampett replied that the building was designed for, and would probably be used by, a single family.

Dean Anderson, a member of the staff of the Ecumenical Ministry in the Haight Ashbury, submitted additional letters and a petition signed by 70 individuals in support of the application. He indicated that the Ecumenical Ministry, which is not Federally-funded, provides technical resources and assistance to individuals and groups in the Haight Ashbury and throughout the City. Approximately 15 people per day are serviced, most by telephone and only two or three in person. The Ecumenical Ministry has a staff of three, none of which use automobiles to come to work. Most visitors to the offices of the Ecumenical Ministry walk or use public transportation. He advised the Commission that an effort has been made to preserve the residential character of the building. No signs have been posted on the exterior of the building; and there has been no rearrangement of the interior of the building.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Michael R. Jones, a member of the Board of Directors of the Ecumenical Ministry in the Haight Ashbury, stated that his organization provides ways and means for neighborhood groups to come together; and he indicated that they have never received any complaints,concerning their operation. He stated that he occasionally has to drive to the property since he lives in another area of the City; but he has always found adequate parking to be available. In conclusion, he emphasized that the building is well-kept and an asset to the neighborhood.

Ed Dunn, President of the Haight Ashbury Neighborhood Council, read and submitted the following statement:

> "The general membership of the Council at its June meeting voted unanimously to support the request for a conditional use permit for 409 Clayton Street.
>
> "This address has been the home of the Ecumenical Ministry in the Haight-Ashbury for seven years and the home of various function of the Haight-Ashbury Medical Clinic for the same period. Over the years, the Council and its members have had the chance to use the services of EMHA as well as observe the work done by the clinic at that location. No Council member has ever objected to EMHA and to my knowledge, no Council member has objected to the present use the Clinic is now engaged in at that address.
>
> "The Council has had a continuing relationship with both the Clinic and EMHA at 409 Clayton and find them to be of service to the entire community and therefore their continued presence at that location is of importance to the Council.

"The Council has long been in the forefront of the battle to preserve and expand the residental areas of the Haight-Ashbury. It has participated in City Planning Department hearings and programs which are consistent with the goals of the Council. The Council joined with other organizations to re-zone the Haight-Ashbury so as to preserve the existing housing stock in the community for the residents of the Community. The Council has received support in those efforts from the programs at 409 Clayton Street. It would be absurd to argue that by removing these needed programs from 409 Clayton Street, the unmet housing needs of the Haight-Ashbury community would be in any way solved.

"Indeed, removing EMHA for example, could well be a blow to the future of housing programs in the Haight-Ashbury, for the staff of EMHA have provided to this Council and other community and neighborhood groups the needed technical assistance to develop programs that meet the needs of this community.

"Again, the Council urges the granting of a conditional use permit for 409 Clayton Street so that these needed community based programs can continue."

Susan Bierman, a member of the Board of Directors of the Ecumenical Ministry in the Haight Ashbury, stated that the Ecumenical Ministry provides services which neighborhood groups desperately need; and she felt that it was important for the organization to be housed in a facility such as the subject building. She stated that many meetings of the Haight Ashbury Neighborhood Council have been held in her own home because the environment which a house provides is warmer and friendlier than the cold situation which one finds in an office; and she felt that the residential environment is extremely important to the Ecumenical Ministry, also. She urged that the subject application be approved.

Bob Covington, representing the State Street Development Corporation, advised the Commission that the "409 House" had helped to organize a program designed to assist people who are being misplaced to purchase their own homes; and he regarded that as just one example of the benefits which the organization has provided to the community. He stated that he visits the subject building frequently; and it has always had the atmosphere of a residential use. He hoped that the subject application would be approved.

Douglas Engman, representing the Stanyan/Fulton Street Association, read and submitted the following letter:

"We understand that the Ecumenical Ministry of the Haight-Ashbury (EMHA) is under consideration for a conditional use on July 1, 1975. This organization whole-heartedly supports the EMHA application; the activities of this organization have contributed greatly to the community and its residents. The staff at 409 House are regarded highly by members of our organization and residents of our neighborhood. Truly, the activities of EMHA

clearly fit the criteria outlined in the City Planning Code for conditional use permits. We urge that the City Planning Commission act favorably on this application."

Gina Zimmerman, representing Congressman John L. Burton, read and submitted the following statement on behalf of the Congressman:

"I urge the San Francisco City Planning Commission to approve the conditional-use permit for 409 Clayton Street. Emphasis must be placed on the seven years of success that "409 HOUSE" has enjoyed through implementation of their many programs. Additionally I understand that they provide services to many community and neighborhood groups. I support "409 HOUSE" and I believe that the Commission should continue its support by approving their conditional-use application. My administrative aide Gina Pennestri has worked closely with the staff of Ecumenical Ministry in Haight Ashbury and thinks very highly of their work. On many occasions I too have met with the staff of EMHA and have been impressed with their effectiveness and concern for many different social issues."

After reading this statement, Ms. Zimmerman stated that she lives in the Haight Ashbury neighborhood; and she believed that the "409 House" had brought a great deal of cohesiveness to the neighborhood.

Mary Burns, representing State Senator George R. Moscone, read and submitted the following letter from the Senator:

"It is my understanding that you have an item before you today to continue the existing use of 409 Clayton by the Ecumenical Ministry in the Haight Ashbury.

"I have been aware of the work of the Ecumenical Ministry for a number of years. They furnish important services to the surrounding community as well as serving as a focal point for the neighborhood. Their work, especially counseling young people, has helped many to continue functioning in what is often a confusing and frustrating world. Their Saturday morning forums provided a useful meeting place for providers of services and neighbors to come together on a regular basis to discuss activities in the Haight. They have had a unique ability to bring together divergent sectors of the community which has led to the many improvements taking place in the neighborhood.

"I would urge the Commission to authorize the continued existence of the Ecumenical Ministry at 409 Clayton."

John Bardis, representing the Inner Sunset Action Committee, stated that the subject application had been considered by his organization at their June meeting; and the members had voted strongly to support the application. He noted that his organization was not prone to support conditional use applications for non-residential use of residential buildings; however, he felt that the achievements of the"409 House" testified to the fact that it serves a community need, thus

June Meeting and the meeting had voted

meeting the criteria of the City Planning Code for granting of conditional use authorizations. Therefore, he urged that the application be approved.

Father Walker, Rector of the All Saints Episcopal Church, stated that he wholeheartedly supported the subject application. He stated that the "409 House" has been a very positive force in the Haight Ashbury community, enabling a diverse population to be in communication; and he felt that it was extremely important that the services of the Ecumenical Ministry should continue to be available to the neighborhood.

Sue Hestor, President of the Eureka Valley Promotion Association, stated that members of her organization had worked with the Ecumenical Ministry for the last three or four years, getting out large mailings on an extremely low budget because the Ecumenical Ministry makes no charge for labor. The whole organization has appreciated the services which had been rendered by the Ecumenical Ministry; and, more importantly,they have appreciated the cooperation of the Ecumenical Ministry in other areas. She agreed with other speakers that the Ecumenical Ministry has had lots of successes; and she felt that its location, which provides a warm environment, was, to a degree, responsible for many of those successes. In conclusion, she stated that her organization had been concerned about conditional uses; but all of the conditional use applications of which she had been aware, the present application seemed to go further in satisfying the criteria of the City Planning Code for authorization of conditional uses. In reply to a question raised by Commissioner Porter, Ms. Hestor stated that the decision to support the subject application had been made by the Board of Directors of her organization since the organization does not have general membership meetings during the summer months.

Connie Wisener, Director of the Haight Ashbury Center for Alcoholic Problems, noting that Commissioner Fleishhacker had remarked that the Haight Ashbury Improvement Association was objecting to the subject application on the basis that the "409 House" is occupying needed residential space, stated that she had been informed that the Haight Ashbury Improvement Association had complained that her offices are taking up needed commercial space.

Pastor William Miller of the Hamilton Methodist Church stated that he had worked with the Ecumenical Ministry in the Haight Ashbury over the last four years; and, while he had not always agreed with them, he was appreciative of their ministry in the Haight Ashbury neighborhood. He acknowledged that it is important to preserve the City's housing stock; and he felt that an excessive number of conditional use authorizations for non-residential uses in residential areas should be avoided. However, he believed that conditional use authorizations are proper for some organizations which are operating on a "shoestring" budget; and he believed that continued use of the existing building by the Ecumenical Ministry was justified since that organization, while extremely fragile, plays a very important role in the relationships of the neighborhood.

David K. Finn, President of the Haight Ashbury Improvement Association, stated that the "409 House" had served a real function during the 1960's during the era of the flower children; however, the Haight Ashbury had later become an essentially stabilized family neighborhood. Today, non-family types of people do not live in the neighborhood; but they are drawn to the area by drug clinics and similar facilities. He felt that the organizations occupying the subject building attract very few people and thus require only a small amount of space; and, under the circumstances, he felt that they should relocate to a commercial area so that the subject building could revert to a single family residence. In that regard, he noted that the representative of the Ecumenical Ministry had stated that most of their contacts are made by telephone; and, that being the case, there appeared to be no reason for continued occupancy of a residential building by the organization. While representatives of the Haight Ashbury Neighborhood Council had spoken in support of the subject application, he stated that he and other members of that organization were opposed to the proposal. He was not opposed to assisting people who need assistance; but he had been advised that the Haight Ashbury Drug Training & Education Project had received more than $1,000,000 in grants.

Commissioner Porter stated that the Commission had visited the subject property and had been unaware of any activity in the subject building. She asked Mr. Finn if he was opposing the subject application because he felt that the subject use is detrimental to the neighborhood or if he was opposing the granting of a conditional use authorization for a non-residential use in a residential building as a matter of principle.

Mr. Finn replied that his opposition to the application was based on principle; however, residents of the immediate area who were present in the meeting room could comment on the problems associated with the use.

Clarence Gabriel, 405 Clayton Street, stated that visitors to the "409 House" park in driveways in the area; and trash from containers in front of the building blows around the neighborhood. He agreed with Mr. Finn that the application should be disapproved.

Mary Crump, 401 Clayton Street, stated that she has heart trouble and high blood pressure; and she indicated that she is disturbed by loud cars and loud talking and walking at night.

President Newman observed that other residents of the subject block of Clayton Street had signed a petition in support of the application. Under the circumstances it appeared that residents of the neighborhood had mixed feelings regarding the use.

Gloria Vollmayer, a member of the Haight Ashbury Improvement Association, remarked that other organizations which had spoken in support of the subject application had previously fought against expansion of St. Mary's Hospital and the University of California Medical Center in the interest of preserving family housing; and, under the circumstances, she found it "Ludicrous" for them to be pleading for a conditional use authorization for the "409 House". She noted that page 58 of a Department of City Planning Background Study on housing in the Haight Ashbury published in August, 1972, had contained a statement to the effect that it may be necessary to discourage conversions of residential buildings to non-residential use in order to preserve the existing housing stock in the Haight Ashbury. Furthermore, page 8 of the final Haight Ashbury Plan had contained a statement that over-concentration of drug treatment and mental health facilities should be avoided in the Haight Ashbury. She felt that uses such as the one presently under consideration should be located on Haight Street, which has available commercial space, particularly upstairs office space. She urged the Commission to stand by recommendations which it had made in the past and to disapprove the subject application.

Commissioner Rueda stated that he could see no comparsion whatsoever between the issue presently before the Commission and the previous debates over the proposed expansion of the University of California Medical Center and St. Mary's Hospital.

Commissioner Fleishhacker agreed with Commissioner Rueda, emphasizing that the Commission was presently considering a proposal for temporary use of a residential building whereas the hospital expansion project would have resulted in the demolition of housing.

Commissioner Porter remarked that a use must be worth making an exception for before it is granted conditional use authorization; and she expected that Mrs. Vollmayer would appear before the Commission in the future to support some conditional use application which, in her opinion, would be a matter of major importance.

Mrs. Vollmayer stated that she believed that the"409 House" had been handled by the Department of City Planning as a "Political Sacred Cow". She indicated that she had requested the staff of the Department of City Planning to take enforcement action against the use four years ago; however, since the matter was "too hot", it had not been brought before the Commission until the present time.

Commissioner Porter remarked that the matter under consideration was a "cool one" in her opinion.

Ron Graybiel, resident of property located across the street from the subject site, stated that he was opposed to approval of the conditional use application not because he was opposed to the good work which is being done by the organizations which are housed in the building but because he was against the traffic which the uses generate, the trash situation, and the interruption of residential amenities caused by the uses; and he indicated that he would like to experience relief from the large trash box in front of the building and from cars being parked on sidewalks in the area. In conclusion, he suggested that some of the other neighborhood organizations which had spoken in support of the application might invite the two organizations to relocate in their neighborhoods.

President Newman asked Mr. Steele if the staff of the Department of City Planning was aware of any trash problem being caused by the applicants of the subject building. Mr. Steel replied in the negative. He indicated, however, that there is a trash receptacle in front of the building which is hidden by a tree; and he felt that it might be appropriate for the Commission to establish a condition requiring that the trash receptacle be kept within the building except for days on which trash collections are made. He stated that it was the recommendation of the Director of Planning that the application be approved; and he distributed copies of a draft resolution which had been prepared for consideration by the Commission which contained four conditions. He summarized the conditions and recommended that an additional condition be added relative to the trash receptacle.

President Newman asked if the conditions which had been recommended by the staff of the Department of City Planning would be acceptable to the applicant. Mr. Hansen replied in the affirmative.

Commissioner Ritchie asked if the staff would recommend that a time limit be established for the conditional use authorization. Mr. Steele replied in the negative. In reply to further questions raised by Commissioner Ritchie, Mr. Steele stated that a conditional use authorization had not previously been granted for the use. The use had been reported to the Department of City Planning as a violation of the City Planning Code. In processing reports of violations, the staff had a priority system and gives first attention to cases which are most harmful to the neighborhoods in which they are located. Since the subject use did not appear to be causing major problems, it had been given low priority by the enforcement staff; and, when the enforcement action was taken, the owner of the building had filed the subject conditional use application to legalize the uses.

Commissioner Fleishhacker remarked that it would not be necessary for the Commission to set a specific termination date for the conditional use authorization in its resolution since Condition No. 1 of the draft resolution specified that the authorization would be limited to the present occupants of the building and would not apply if the building should be occupied by new tenants in the future.

Commissioner Ritchie remarked that the nature of the activities engaged in by the present occupants of the building could change with the passage of time; and he felt that a sixth condition should be added to the draft resolution which would specify that the conditional use authorization would expire at the end of five years.

Commissioner Fleishhacker stated that the Haight Ashbury Drug Training & Education Project is involved in the training of medical students and that it does not engage directly in drug treatment. He felt that drug treatment should be prohibited on the premises; and he suggested that Condition No. 1 of the draft resolution should be amended to specify that there would be no alteration of the current operation of the Haight Ashbury Drug Training & Education Project as a training facility. He then moved that the draft resolution, with that modification, suggested by Mr. Steele and Commissioner Ritchie, be adopted. The Conditions were now to read as follows:

"1. The use authorized shall be limited to the first floor by the Ecumenical Ministry in the Haight Ashbury, Inc. and the second floor by the Haight Ashbury Drug Training and Education Project, an activity of Youth Projects, Inc., with no alteration of the current operation of the Project as a training facility.

"2. No significant alterations which would change the residential appearance of the building or its suitability for residential use are authorized.

"3. Signs, if any, shall be limited to one non-illuminated identifying sign mounted flush on the building, and not more than 4 feet square in area.

"4. The third floor of the subject property shall remain a dwelling unit.

"5. All trash receptacles shall be removed from the sidewalk and kept on the premises.

"6. This conditional use is authorized for a period of five (5) years from the effective date of this resolution, and shall terminate on August 3, 1980, at which time the applicant may file an application for conditional use authorization of the use for an additional period.

Commissioner Porter stated that she was sympathetic with the concerns expressed by Mrs. Vollmayer and other individuals who had recently moved into the Haight Ashbury District and are trying to restore the former residential character of the neighborhood. However, she also felt that the present use of the building, which has been in existence for five years, is not detrimental to the area and that it is, in fact, of tremendous importance to the City and County of San Francisco and to young people in the City who need advice from their doctors. Therefore, she seconded the motion which had been made by Commissioner Fleishhacker.

Commissioner Miller stated that he had voted in favor of the conditional use authorization for the expansion of St. Mary's Hospital; and, in the interest of being consistent, he intended to vote for approval of the subject application. However, he questioned why conditional use authorization for the uses had not been sought at an earlier date. Mr. Steele replied that the Department of City Planning had previously received a letter from the Episcopal Church stating that the Ecumenical Ministry in the Haight Ashbury is an official church function; and he noted that church functions are principle permitted uses in residential districts. While the Haight Ashbury Drug Training & Education Project could not be considered as a principle permitted use in a residential district, the enforcement staff of the Department of City Planning had not given high priority to abatement of that violation of the City Planning Code.

When the question was called, the Commission voted unanimously to adopt the amended draft resolution as City Planning Commission Resolution No. 7347 and to approve the application subject to the conditions contained in the draft resolution, as modified.

At 3:55 p.m. President Newman announced a ten minute recess. The Commission reconvened at 4:05 p.m. and proceeded with hearing of the remainder of the agenda.

CU75.30 - 2045 LAWTON STREET, SOUTHEAST CORNER OF 27th AVENUE. REQUEST FOR AUTHORIZATION FOR THE CONTINUED USE OF THE PROPERTY BY CATHOLIC SOCIAL SERVICES, A PHILANTHROPIC OR ELEEMOSYNARY INSTITUTION. IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with a 95-foot frontage or Lawton Street and a 25-foot frontage on 27th Avenue for a total area of 2,375 square feet. He noted that an application had been made in 1974 for reclassification of the property from R-3 to C-2 to accommodate the editorial and business offices of the Philippine News which were housed in the subject building at that time. However, that application

had been withdrawn; and the Philippine News had relocated to another site. Subsequently, the subject building had been occupied by the offices of the Catholic Social Services. The subject application had been filed to legalize that use which had been in existence for approximately 11 months. In conclusion, Mr. Steele stated that a negative declaration had been issued relative to the subject application on June 6, 1975, and was in effect.

Alejandro A. Esclamado, owner of the subject property, confirmed that he had been successful in finding a new location for the offices of the Philippine News; but he indicated that he had experienced difficulty in finding appropriate tenants for the building at 2045 Lawton Street. His original intention had been to give the building to his brother for use as a residence; but his brother has many children, and the neighbors object to noise. As a compromise, he had decided that the best use of the building would be for the offices of the Catholic Social Services. That use involve no change in the existing structure; and the women who work in the offices make no noise. Futhermore, the Catholic Social Services organization provides a service to residents of the neighborhood and the community which, unlike the Philippine News, is not oriented towards a particular ethnic group. He stated that the subject building contains five bedrooms; and, as a result, no one would be interested in renting it for residential use unless they had a number of children. However, other residents of the neighborhood object to noise made by children. In conclusion, he stated that representatives of the Catholic Social Services were present to answer any questions which might be raised by members of the Commission.

President Newman noted that a number of letters had been received in support of the subject application.

No one was present to speak in opposition to the proposal.

Gerald Hox, Deputy Director of the Catholic Social Services, stated that the subject facility, which serves the Sunset and Richmond Districts, is one of five offices of his organization located in San Francisco. Since occupying the subject building, the office had served 25,000 people individually and had had 9,000 telephone consultations.

Rita Haas, 1606 Lawton Street, stated that she and her family had been very happy with the new use of the building and hoped that the use would continue to be as unobjectionable as in the past.

Marilyn Haas, 1606 Lawton Street, stated that previous occupancy of the building by the newspaper had been a nuisance since the presses often woke them up at 3:00 in the morning.

Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to three specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After distributing copies of the draft resolutions, he summarized the conditions which it contained.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7348 and that the application be approved subject to the conditions contained in the draft resolution.

EE74.72 - CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT FOR 83 UNIT RESIDENTIAL DEVELOPMENT ON PROPERTY BOUNDED GENERALLY BY LAWTON STREET, LOMITA AVENUE, NORIEGA STREET, FIFTH TEENTH AND FOURTEENTH AVENUES AND MORAGA STREET. (UNDER ADVISEMENT FROM PUBLIC HEARING CONCLUDED ON JUNE 12, 1975.)

Paul Rosetter, Planner II, presented and paraphrased the summary of comments made at the public hearing held on this matter on June 12, 1975, and the staff's responses to those comments.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that it was the recommendation of the Director of Planning that a draft resolution with the following resolves be adopted:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated July 3, 1975 concerning Golden Gate Heights Residential Development is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report is compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission, before acting on the requests to rezone this area and to subdivide and resubdivide portions of the development site under ZM75.12, R118.74.14 and R118.74.15, does hereby certify that it has reviewed and considered the information contained in said Final Environmental Impact Report."

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7349.

ZM75.12 - GOLDEN GATE HEIGHTS AREA BOUNDED GENERALLY BY LAWTON STREET, LOMITA AVENUE, NORIEGA STREET, FUNSTON AVENUE AND ALOHA AVENUE. R-1 TO AN R-1-D DISTRICT. (UNDER ADVISEMENT FROM MEETING OF JUNE 12, 1975.)

President Newman, noting that a public hearing had been held on this matter on June 12, 1975, asked for the staff's recommendation on the application and indicated that the Commission would then hear from any members of the audience who wished to speak in rebuttal to the recommendation.

Dean L. Macris, Director of Planning, advised the Commission that he had met earlier in the day with representatives of the neighborhood and the developer who was proposing to undertake an 83 unit residential development on portions of the subject property. The purpose of the meeting had been to discuss allocation of park lands in the area. He noted that the Master Plan calls for expansion of Grandview Park; and he had felt that it would be appropriate to ask members of the community if they felt that expansion of the park should occur on properties located immediately adjacent to the existing park or if they felt that any money which might be available could be better used for acquisition of other properties in the area. In particular, he felt that residents of the neighborhood might feel that priority should be given to acquisition of Block 1928B, which is heavily wooded. Mr. Weisberg, the developer, had indicated that he would be willing to defer development of Block 1928B for two years in order to see if any progress could be made by the City towards acquisition of the property within that time; and he had also stated that he would be willing to defer development on Block 1860B for a period of 6 months. Representatives of the community were non-committal about the proposal which had been discussed and had asked for a two week period for further discussion of the proposal with other residents of the neighborhood. If a decision is mad by the neighborhood that an effort should be made to acquire Block 1928B for park purposes, the Department of City Planning would request a cooperative agreement from the developer in the form of a letter indicating his intention to defer development of that block for two years; and it would be understood that any development which might be proposed in advance of the expiration of that period would be subject to discretionary review by the City Planning Commission. Irrespective of the neighborhood's final decision on that matter, however, he felt that the Commission should proceed to take action on the rezoning application and the subdivision referrals which were calendared for consideration during the present meeting.

President Newman noted that the agreement which had been negotiated by the Director of Planning would be dependent on the goodwill of the developer; and he felt that any agreement entered into should pertain to future owners of any property which might be sold by Mr. Weisberg.

Commissioner Porter stated that she shared the neighborhood's concern about slides in the area; and she wondered what engineering recommendations had been made regarding the type of construction which should occur on the subject properties.

Selina Bendix, Environmental Review Officer, stated that the staff of the Department of City Planning had conferred with Alfred Goldberg, Chief of the Bureau of Building Inspection, regarding that matter; and he had indicated that the Bureau of Building Inspection would not issue any building permits unless it was completely satisfied with the soil tests which had been performed. Mr. Goldberg had further stated that there are very few unbuildable sites in San Francisco. Dr. Bendix also advised the Commission that State law provides that an engineer may lose his license if he is found guilty of negligence or incompetence; and she assured the Commission that that State law is enforced.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), remarked that some of the surrounding properties, although presently developed with side yards characteristic of an R-1-D zone, are zoned R-1. Furthermore, all of the properties proposed for reclassification in the subject application, except for one block, had previously been subdivided and would therefore not be affected by the larger lot requirement of R-1-D zoning. The provision of side yards as required by R-1-D zoning would only provide limited views; and the reclassification would only provide a minimal reduction in population density, automobile traffic, available parking, and wet weather runoff. Therefore, it was the recommendation of the Director of Planning that the subject application be disapproved. He noted, however, that the subject application had been initiated by the Board of Supervisors; and, as a result, the decision of the City Planning Commission would automatically be transmitted to that body for its consideration.

Joe Minahan, 1337 - 9th Avenue, felt that it was appropriate for the Director to have recommended that action be taken on the subject application during the present meeting regardless of any agreement which might be reached regarding deferral of construction on Block 1928B.

George H. Cabaniss, Jr., attorney for Mary O'Shaughnessy and Elizabeth O'Shaughnessy, stated that he supported the recommendation of the Director of Planning which had been offered with a great deal of common sense.

Rolland Luoden, 829 Noriega Street, stated that he continued to be opposed to any construction whatsoever in the subject area; however, in case his position should not prevail, he felt that R-1-D zoning should be imposed on the property so that there would be a greater likelihood that any new buildings constructed would conform with the established character of the neighborhood. He displayed a color map which he had prepared of the neighborhood indicating the location of "attached" and "detached" houses; and he emphasized that the map indicated that "detached" homes predominate in the area.

Commissioner Fleishhacker observed that Mr. Louden's map was centered about the block which Mr. Weisberg proposed to develop. However, he pointed out that the application for reclassification from R-1 to R-1-D covered a much larger area; and, if Mr. Louden had expanded his map and had not been so selective, the map might have indicated that the predominant development in the area is one of "attached" houses.

Commissioner Ritchie remarked that the "detached" houses which do exist in the neighborhood have been constructed on lots which are zoned R-1; and he emphasized that people who buy R-1 properties do not have to build to the lot lines.

Commissioner Porter stated that it was her impression that most of the lots in the neighborhood are smaller than 4,000 square feet, which is the minimum lot size in an R-1-D district.

Tim Eichenberg, representing the Sunset Parkside Education and Action Committee (SPEAK), stated that the primary concern of residents of the neighborhood was that any new development in the area should be in harmony with the character of existing development. Under the circumstances, he felt that it would be desirable to rezone the subject properties to R-1-D to encourage construction of "detached" houses and to bring about a slight reduction in the density of any new development He also stated that he had found some encouragement in the possibility that a portion of the property proposed for development may be retained as open space.

Commissioner Fleishhacker asked Mr. Steele to comment on his impression of the existing character of the neighborhood. Mr. Steele, referring to a land use map which had been prepared by the Department of City Planning, remarked that the neighborhood is characterized by single family dwellings, some of which are "attached" and some of which are "detached". In some cases, one side of the street is developed with "attached" houses while the other side of the street is developed with"detached" houses. He agreed with Commissioner Fleishhacker that the character of the neighborhood should be judged in relation to a larger area than was depicted on the map which had been prepared by Mr. Louden.

Commissioner Ritchie inquired about the width of the side yards which would be required if the subject properties were rezoned to R-1-D. Mr. Steele replied that the width of the required side yards depend on the width of a specific lot. A lot with a width of 30 feet, for instance, would have to have one side yard with a width of three feet and another side yard with a width of two feet.

After asking several additional questions which were responded to by Mr. Steele, Commissioner Ritchie remarked that R-1-D zoning could result in the creation of side yards with a width of four to six feet and a depth of 70 feet enclosed by walls with a height of 30 feet. He felt that such side yards would be most undesirable.

A member of the audience stated that she has a "detached" house with narrow side yards; and she indicated that those side yards allow her to put the cat outside, to play her piano, and to get to the backyard from outside without going through the house. When asked by Commissioner Porter about the width of her lot, she replied that she was not certain about the lot's dimensions.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7350 be adopted and that the subject application be disapproved.

R118.74.14 AND R118.74.15 - PUBLIC HEARING ON TENTATIVE SUBDIVISION MAPS--PORTION OF GOLDEN GATE HEIGHTS: ASSESSORS BLOCK 1860B, BOUNDED BY LAWTON STREET AND ALOHA, 15TH AND ALOHA, AVENUES; AND ASSESSOR'S BLOCK 1928B, BOUNDED BY MORAGA AND NORIEGA STREETS, AND 15TH AND 16TH AVENUES.

Alec Bash, City Planning Coodinator, stated that the Director of Public Works had forwarded tentative maps for the subdivision of Assessor's Blocks 1860B and 1928B in the Golden Gate Heights area for a report on the question of consistency of the subdivisions with the Master Plan. He then summarized the staff report which had been prepared on this matter, as follows:

"These two blocks are part of a larger project, the Golden Gate Heights Residential Development, which also includes portions of Blocks 1928 and 1929A. The total project is analyzed in the Environmental Impact Report EE74.72, proposed for certification by the City Planning Commission on this date. These two blocks are included within a proposed reclassification from and R-1 (One-Family Residential) to an R-1-D (One-Family Residential (Detached Dwelling) district, initiated by the Board of Supervisors and also including Blocks 1928, 1929A, 2034A and 2036A, which was scheduled for action by the Commission on this date.

"In 1970 these two blocks, together with several surrounding blocks, were proposed for subdivision, and maps were ultimately filed on all except Block 1860B. The maps now submitted, therefore, constitute a new subdivision of Block 1860B and a resubdivision of Block 1928B. The differences in platting between these and the previous maps are relatively minor. In Block 1860B the number of lots proposed is the same as was proposed before, and the change is in the orientation of corner lots. In Block 1928B the number of lots along 15th Avenue is reduced by one, and somewhat wider lots result.

"Block 1860B is relatively flat, and is the site of an abandoned quarry operation. Its surface would be excavated, liveled, filled and recompacted, which would require the reduction and covering of exposed bedrock outcroppings. Subdivision of this 2.39 acre block would provide 33 lots with width ranging from 30.25 to 32.25 feet, and areas from 2500 to 5032 square feet.

"Block 1928B is steeply sloped towards the Ocean, with a dunes-like character on its northern two-thirds, and a wooded area at its southerly third. The top layers of wind-deposited sand are loosely compacted and, in order to support construction, would require removal of all vegetation (including roots) and recompaction of the sand into a five-foot thick mat. For this reason, and in order to produce a more gradual slope, all but the southernmost tip of the block would be skinned back.' The northern portion of the site contains a specialized sand dune or coastal strand plant community, one of perhaps only two remaining comparable sites in San Francisco, which at this site includes the Dune Tansy, a rare and endangered plant species, and a large selection (23) of other species. This dune habitat would be eliminated. The engineers' initial grading plan indicated the grading activity would extend well into the southerly corner, with its grove of trees. If the grove were to be retained, a substantial modification of the grading plan would be required. Resubdivision of this 2.59 acre block would provide 31 lots, with widths ranging from 32.5 to 47 feet, and areas from 3607 to 5824 square feet.

"The Residence Element of the Master Plan designates this area for low-density residential use, generally considered as single-family and duplex row houses. The Recreation and Open Space Element calls for the acquisition of 2.92 acres of privately-owned land in Block 2034A, ajacent to the 1.1 acre Grand View Park and across 15th Avenue from Block 1928B, and the acquisition of 1.34 acres of hillside rock outcroppings a block to the south and east along 14th Avenue. That Element also calls for requiring usable outdoor open space in new residential development. The Conservation Section of the Environmental Pro-

tection Element calls for the protection of habitats of known plant and animal species that require a relatively natural environment, and the protection of rare and endangered species. The Urban Design Element calls for preservation in their natural state of the few remaining areas that have not been developed by man, and proposes the recognition and protection of major views in the city, with particular attention to those of open space and water."

Commissioner Porter, noting that the Dune Tansy, an endangered species, is found on the subject property, asked if the owner of private property has any obligation to protect endangered species. Mr. Bash replied in the negative, indicating that public agencies must determine which actions they wish to take in each individual instance.

Tim Eichenberg, representing the Sunset Parkside Education and Action Committee (SPEAK), stated that the presentation which had been made by Mr. Bash clearly indicated to him that the proposed subdivision would conflict with certain policies of the Master Plan. If the Master Plan policy stating that the few remaining areas that have not been developed by man should be preserved in their natural state means what it says, he felt that the subject properties should not be subdivided. The Master Plan also states that major views to and from the city should be recognized and protected and supplemented by removal of buildings; and the proposed subdivisions would violate that policy, also. Another policy of the conservation element of the Master Plan is that construction on land subject to slides or erosion should be prohibited as a general rule; and he noted that residents of the subject neighborhood had complained about slide and erosion problems. Yet another policy of the Master Plan calls for protection of rare and endangered species; and approval of the subdividion would result in the loss of a number of stands of the Dune Tansys, which are an endangered specie. The Community Safety Element of the Master Plan specifies that the location of new facilities should be limited to sites outside of special geologic study areas unless no viable alternatives exist; and he pointed out that the subject property is located in a geologic study area. Because of the policies which he had cited, he felt that the proposed subdivision would be in conflict with the Master Plan; and it was his opinion that it should not be approved. Commissioner Fleishhacker remarded that a literal interpretation of the first policy which had been cited by Mr. Eichenberg out of context, namely that the few remaining areas that have not been developed by man should be preserved in their natural state, would mean that no vacant lots in the city could be developed.

Mr. Eichenberg replied that the Master Plan is obviously subject to interpretation; and he interpreted that policy to apply to open spaces and not to vacant lots.

The Director remarked that the Master Plan is made up of many policies which must be applied relative to a specific issue under consideration; and he acknowledged that there can be a conflict between different policies. For instance, the Residence Element of the Master Plan would obviously call for development of the subject properties for family housing. The responsibility of the Department of City Planning and the City Planning Commission is to review specific proposals in relation to the major priority policies of the Master Plan. In the present case, it was the position of the staff of the Department of City Planning that the need for family housing in San Francisco gives priority to the policies of the Residence Element of the Master Plan as long as other policies of the Master Plan are not greatly abused. As a case in point, while the proposed subdivision might result in the uprooting of some Dune Tansys, the Master Plan would still require the Department of City Planning to try to preserve other endangered species as much as possible.

Mr. Eichenberg stated that it was within the discretion of the Director of Planning to interpret the Master Plan as he wished; however, he personally felt that the letter of the Master Plan would be violated if the proposed subdivision were approved.

Commissioner Porter, noting that Mr. Eichenberg had expressed concern about slide and geologic problems in the area, remarked that she had earlier directed a question concerning that matter to Dr. Bendix; and Dr. Bendix had replied that engineers who do not make adequate soil tests or design new buildings properly in accordance with the results of those tests are subject to losing their licenses. If the position taken by Mr. Eichenberg was that privately owned property should not be developed, she could not agree with that position. However, she would be willing to support any conditions which would protect the subject neighborhood from being blighted by the proposed development.

Commissioner Miller remarked that the subject property had already been subdivided and that it was presently before the Commission only because small changes were being proposed in subdivision. He also emphasized that the Director, in meeting with the developer and representatives of the neighborhood earlier in the day, had been attempting to implement the policies of the Recreation and Open Space Element of the Master Plan, the Conservation Element of the Master Plan, and other elements of the Master Plan.

Mr. Steele stated that a subdivision was once proposed for Block 1860B; however, that subdivision had never been formally approved. Therefore, the proposal which was presently before the Commission for that block would be a new subdivision.

Commissioner Miller responded that little objection had been raised to development of that block in any case.

Betty Levin, 930 Noriega Street, stated that Block 1928B is a San Francisco Landmark, not a vacant lot; and she felt that the proposed development would result in the loss of something which should be preserved for San Franciscans.

Commissioner Fleishhacker noted that the developer had indicated that he would be willing to delay development of that block for two years to see if arrangements could be made by the City to acquire that property as permanent open space.

Barbara Nathen noted that Mr. Bash had reported that roots would have to be removed from the sand on Block 1928B for compaction of the soil; and she asked if that meant that the trees would have to be removed, also.

Mr. Steele replied that the developer had agreed to defer construction on that block for two years in order to see if arrangements could be made for acquisition of the block as permanent open space by the City or through the creation of an assessment district.

Mr. Weisberg, the developer and applicant, acknowledged that he had agreed earlier in the day to postpone development of Block 1928B for as long as two years so that City agencies and residents of the neighborhood could look for funds to try to purchase the area where the trees are located. Furthermore, he had previously agreed that the land where the trees are located could be purchased over a period of three years if the necessary funds for purchase could not be aquired at one time. He assured the Commission that Block 1928B would not be disturbed unless it becomes apparent after a long period of time that there are no funds for acquisition of the property or that the City does not wish to purchase the property. If the property is eventually developed, he promised to work around the trees as carefully as possible; and trees which must be removed will be replaced. Block 1860B, on the other hand, has no vegetation; and, the past four years, he had received numerous complaints about garbage and dune buggies on that property. Under the circumstances, he could not imagine how preservation of that piece of land in its present state could possibly add to the City's beauty. In fact, he believed that that particular block will look better when it has been graded and developed.

Ms. Nathan asked if construction on Block 1860B would necessitate dynamiting. Mr. Weisberg replied in the negative.

Mr. Steele stated that it was the recommendation of the Director of Planning that the Commission adopt a draft resolution which had been prepared finding that governmental sudsidies for low and moderate income occupancy are not available to the subdivider and that the subdivider is not therefore required by the Subdivision Code to make available 10 percent of the proposed units for low-and moderate-income occupancy. By adoption of the draft resolution the Commission would further find that the subdivisions of Blocks 1860B and 1928B are consistent with the Master Plan provided that 14 specific conditions are met. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Fleishhacker remarked that Condition No. 1 of the draft resolution specified that any construction in the area with trees on Assessors Block 1928B shall be done in such a manner as to preserve the existing trees; however, he recalled that the Environmental Impact Report for the proposed development had stated that some of the trees should be removed because they are dying or dead. Under the circumstances, he wondered if the first condition should be amended to require preservation of "healthy" trees. Mr. Steele suggested that the condition might be re-worded to require the preservation of existing trees "found to be buitable for retention".

Alice Kay, a resident of the neighborhood, noted that the Enviromental Impact Report had contained a letter pertaining to the trees which had been written by an employee of the arboretum.

Mr. Steele then suggested that the first condition of the draft resolution should be modified to specify that existing trees found suitable for retention in accordance with the recommendations of the Environmental Impact Report should be preserved.

Commissioner Fleishhacker noted that Condition No. 7 of the draft resolution specified that "on-street parking shall be prohibited at such locations as would be required by the Fire Department to prevent interferance with access of emergency vehicles". Since prohibition of on-street parking is the responsibility of the City departments, he asked if it would be proper to include that requirement in the City Planning Commission's resolution. Mr. Steele replied in the affirmative.

President Newman asked if the conditions which had been recommended by the staff of the Department of City Planning would be acceptable to the applicant. Mr. Weisberg replied that he is not an engineer; but the general principles expressed in the conditions seemed to be acceptable.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution, as modified, be adopted as City Planning Commission Resolution No. 7351.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, July 10, 1975.

The City Planning Commission met pursuant to notice on Thursday, July 10, 1975, at 1:45 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Richard Gamble, Planner IV; Charles Gill, City Planning Coordinator; Paul Rosetter, Planner II; Robin Jones, Planner II; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; Dick Alexander represented the San Francisco Examiner.

1:45 P.M. - FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 1:45 p.m. to take a field trip to property at 4050 - 17th Street in connection with an Environmental Impact Report which was considered later in the afternoon.

2:15 P.M. - ROOM 282, CITY HALL

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of June 5 and 12, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, distributed copies of a report entitled "Labor Force Trends", the second in a series of reports containing background information for the Commerce and Industry Element of the Comprehensive Plan. He indicated that a presentation will be made during the Commission's next meeting on July 17, at which time the staff will summarize the report and respond to any questions which might be raised by members of the Commission.

The Director noted that an article had appeared in the Chronicle earlier in the week which had mistakenly confused the Neighborhood Initiated Improvements Program, for which funds will be available this year, with the Bicentennial Competition, for which funds will be available in 1976 and 1977. He indicated that

a newsprint explanation of the Neighborhood Initiated Improvements Program will be available to the public in the near future; and he distributed a draft of the text of that publication to members of the Commission.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

The Director advised the Commission that he will be on vacation during the last week of July and the first week of August.

The Director announced that the Neighborhood Plans Committee meeting scheduled for next Thursday will be cancelled.

R75.16 - TARAVAL POWER SUBSTATION FOR MUNI STREET CARS.

Richard Gamble, Planner IV, reported on this matter as follows:

"The General Manager of the Hetch Hetchy Water and Power System has submitted for Master Plan review two new proposals for purchasing a site for the Taraval Substation.

"In late 1973, Hetch Hetchy proposed purchase of a number of sites for transformer substations required to serve the increased power needs of the new streetcar system. Among those proposed and found by this Commission to be in conformity with the Master Plan was a site on the south side of Taraval Street west of 32nd Avenue, hereinafter referred to as Site No. 1. The owner refused to sell the property, however, and the Board of Supervisors Finance Committee has advised the Director of Property to seek other sites in lieu of using eminent domain procedures to acquire Site No. 1.

"In order to expedite acquisition of a site and to avoid adverse circumstances similar to those experienced with Site No. 1, two other sites have been found, both of which are feasible from a technical standpoint. Sites Nos. 2 and 3, in order of preference to Hetch Hetchy, are in the vicinity of 41st Avenue.

"Site No. 2 is a 25' x 100' vacant lot (Lot 43A, Block 2385) on the south side of Taraval, approximately 100 feet west of 40th Avenue. Cala Market abuts on the east and Mar Vista Pharmacy is to the west. Farther west is residential development, but across the street is a full block of stores. Market auto parking and the end of a deep residential rear yard abut this key lot to the rear. The property is zoned C-1.

"Site No. 3 is a 25' x 100' vacant lot in an R-4 district on the north side of Taraval, 57.5 feet east of 42nd Avenue (Lot 23, Block 2370). Four two-story flats above garages abut the property to the west, fronting on 42nd Avenue with rear yards approximately 12 feet deep. A two-story apartment house with a side yard of five to six feet abuts on the east.

"The building designed for Site No. 1 can be constructed on Site No. 2 with a minimum of design modification and related expense. Rear yard requirements of the R-4 district would require use of a different design for Site No. 3. A shorter building was designed for the Judah Street substation, which is in an R-3 district and has an orientation similar to that of Site No. 3; however, more modification of exterior design would be necessary than on Site No. 2. Both designs have been approved by the Art Commission.

"Public buildings of a non-industrial character when in conformity with the Master Plan are principal permitted uses in all R and C districts. The soundproofing standards and quality of architectural design which are being applied to these installations assure a non-industrial character. The Urban Design Element of the Master Plan states that 'Public buildings can contribute to neighborhood appearance if they are well designed, attractively painted and generously landscaped.' Also, provision of this facility is in accord with the Mass Transit Plan in the Transportation Element of the Master Plan.

"The Parkside District Improvement Club and the Taraval-Parkside Merchants Association have endorsed both sites. In addition, both groups have surveyed the residents and merchants in the vicinity of these sites and report no objections."

Commissioner Porter asked if the proposed facility would be "generously landscaped" if it were to be constructed on commercially-zoned property. Mr. Gamble replied that the plans which had been prepared for the facility indicated that space will be available for a ten square-foot planter.

Commissioner Finn explained that the Municipal Railway preferred the commercially zoned site for technical reasons.

No one was present in the audience to be heard on this matter.

Dean L. Macris, Director of Planning, recommended that both of the alternate sites be approved as in conformity with the Master Plan, with preference being given to the commercially zoned site, providing that the building design and landscaping would be in general conformity with the plans which had been submitted.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the acquisition of Lot 43A, Block 2385 (the commercially zoned site) or Lot 23, Block 2370 (the residentially zoned site), in that order of preference, for a Hetch Hetchy substation is in conformity with the Master Plan, provided that the building design and landscaping generally conformed to the drawings by Bechtel dated April, 1975.

EE73.231 - CONTINUATION OF PUBLIC HEARING HELD BY ENVIRONMENTAL REVIEW OFFICER ON JULY 1, 1975, ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CONSTRUCTION OF AN 18-UNIT APARTMENT BUILDING AT 4050 - 17TH STREET.

Selina Bendix, Environmental Review Officer, summarized the comments which had been made during the public hearing on July 1, and responded to those comments.

The Commission then received comments from members of the audience including Jude Laspa, 4426 - 19th Street, who represented the Eureka Valley Promotion Association; Sue Hestor, President of the Eureka Valley Promotion Association; Gabriel Sheridan, Vice President of the Victorian Alliance; Raymond Gould, who read and submitted a letter which had been prepared by Dale H. Champion, President of the Buena Vista Neighborhood Association; Judith Hoyem, 4040 - 17th Street, who read and submitted a letter which had been prepared by Wayne H. Luby, 4058 - 17th Street; Dennis Natali, the developer of the subject property; and George Faltico, consultant to the developer.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the public hearing be closed and that the matter be taken under advisement until the meeting of July 31, 1975, at 3:00 p.m.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION FOR 18-UNIT APARTMENT BUILDING PROPOSED FOR CONSTRUCTION AT 4050 - 17TH STREET.

President Newman stated that the Commission had received a letter from Sue Hestor, President of the Eureka Valley Promotion Association, which read as follows:

"The Eureka Valley Promotion Association requests that the Planning Commission take discretionary review of the 18-unit apartment building planned for 4050 - 17th Street, EE73.231.

"When this matter originally came before you we stated that if changes were not made to the then-existing plan for the building so as to reduce its impact on surrounding residences, we would ask for discretionary review when the EIR was considered. Changes to reduce the impact have not been made. We believe discretionary review is appropriate for the following reasons:

"1. the severity of the impact of the proposed building on adjacent properties, as evidenced in part by the EIR;

"2. the severity of the impact on the surrounding neighborhood - in traffic, parking, overbuilding, and the possible domino effect on nearby properties;
"3. The overbuilding in nearby areas zoned R-4, which greatly exceeds not only interim controls, but the most recent R-4 standards;
"4. the project's violation of interim control standards - allowed because the application was filed 3 days before the effective date of those controls.

"Discretionary review should be used to reduce the scope and impact of the project. We believe that this could be done and still provide an economic return."

Dean L. Macris, Director of Planning, suggested that if the Commission wished to proceed with the discretionary review the matter might be calandared for the meeting for July 31 when final action will be taken on the Environmental Impact Report for the project.

It was moved by Commissioner Porter and seconded by Commissioner Ritchie that the discretionary review be held on July 31.

Commissioner Fleishhacker stated that he was inclined to vote against the motion, especially in view of the fact that the last time a discretionary review had been held by the Commission, the Commission had acted to prevent the developer from proceeding with his project. He noted that the present developer had had plans on file with the Department of City Planning since 1973; and, considering the amount of time which the review of the plans for the project had consumed to date, he felt that the developer should not be further penalized. However, if the discretionary review were to be scheduled, he wondered how the matter would be approached by the staff of the Department of City Planning.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that the staff would work with the developer to see if any agreement could be reached concerning modification of the plans. Subsequently, when the discretionary review is held, the Commission could approve the plans as submitted, approve the plans subject to modifications, or disapprove the building permit application. Any action taken by the Commission would be appealable to the Board of Permit Appeals.

Commissioner Fleishhacker remarked that the general semtiment of residents of the neighborhood was that the existing building should be preserved and that no new building should be constructed on the property; however, he did not feel that it would be proper for the Commission to take the position that a property owner should not be allowed to develop his property. He then inquired if it would be possible for the Commission to require modifications in the plans which would result in a covered parking area and a smaller building designed to protect and preserve light and air for the adjacent residential building to the east.

Mr. Steele replied that it would be possible for the Commission to require the plan changes which had been mentioned by Commissioner Fleishhacker.

Commissioner Fleishhacker then asked Dennis Natali, the applicant, if he would be willing to make changes in his plans.

Mr. Natali replied that he felt that any effort to revise the plans would be an "exercise in futility". He remarked that he could have proposed to construct more than 18 units on the site; however, at the present point in time, he indicated that it would be impossible for him to construct a lesser number of units. In any case, if he had originally proposed to construct 36 units on the site, residents of the neighborhood would probably have urged a reduction to 25 units; and, if he had proposed to construct 25 units on the site, they would probably have requested a reduction to 18 units. He stated that he had offered to replant trees and shrubbery on the site; but he felt he could not change his plans at this time.

Mr. Steele felt that simple changes, such as covering the parking spaces to the rear of the proposed building with a trellis, would make the project more acceptable to adjacent property owners.

Commissioner Ritchie stated that he was concerned about the appearance of the proposed building and whether it would be compatible with the neighborhood. While other unattractive apartment buildings had been constructed in the subject block, he felt that their existence should not be used as a justification for making the same mistake again. He remarked that he had, for a number of years, objected vigorously to the ugly apartment buildings which are being constructed in San Francisco; and he felt that the proposed apartment building, as designed, would have a very definite impact on the environment of the neighborhood in which it is to be located. The building would result in loss of trees and loss of sunlight and views; and the appearance of the building would be regrettable in any neighborhood. The building would have a "faceless" design; and he felt that it would be a gross insult to the beauty of San Francisco. As far as he was able to tell from the plans, the proposed building had not been designed by an architect but rather by a "building designer"; and, if the building were to be constructed, he felt that future generations would regard it as one of the ugliest structures in town. Once such buildings are constructed, they will be in existence for many years; and, as long as San Francisco tolerates such second-rate building design, it will continue to find its residential neighborhoods blighted by wood frame buildings with aluminum sash windows, bedrooms with windows on small light wells, extending to both side lot lines. New apartment buildings should be attractive to families; but the type of apartment buildings which are being constructed generally have a high turnover rate because of their inferior quality. He noted that he had previously urged that some form of architectural review board be established under the jurisdiction of the City Planning Commission; and, while he had heard a number of arguments against that proposal, he still felt very strongly that San Francisco needs to have some architectural controls. In the meantime, the City Planning Commission has to

assume responsibility for guarding the future beauty and environment of San Francisco; and, as a result, he felt that the Commission should carry out that responsibility by taking plans for the proposed apartment building under discretionary review.

Commissioner Porter stated that she had been brought up to feel that Victorian buildings were "monstrosities" yet, today, those buildings are held in high regard by many people. While she would prefer that some of the newer buildings being constructed have a different appearance, she felt that it would be very difficult for the Commission to impose it's own view of architecture on the community. The Commission can affect the character of new development through height and density controls; but architectural design, which is a matter of personal taste, should be left to the judgment of property owners and developers. In conclusion, she remarked that apartment buildings which are now being constructed may be hailed as examples of the beautiful buildings "old" San Francisco after the passage of twenty or forty years.

Commissioner Rueda stated that he intended to vote against the motion. He remarked that individuals and neighborhood groups have tended to urge that Environmental Impact Reports be prepared in order to delay particular projects; and, after the Environmental Impact Reports have been completed, requests are made for discretionary review of plans for the projects. He believed that such procedures pose a "double jeopardy" for developers; and he felt that the public should be made aware that discretionary review procedures are a better vehicle for obtaining a more suitable project than the Environmental Review Process.

Commissioner Ritchie stated that his grandfather had constructed a large Victorian in another city in 1880 which had been designed by the same architect who designed the Haas-Lilienthal House. The house had been demolished in 1942 to make way for construction of a new office building. He, personally, felt that notable Victorian structures are worthy of preservation.

Commissioner Finn stated that he was not impressed by the historical value of the Victorian building which presently occupies the subject property. He noted that it had not been mentioned in Here Today, although several buildings on the opposite side of the street had been mentioned in that book. In his opinion, the building could be characterized as a Victorian "monstrosity"; and he did not feel that it was worthy of preservation.

President Newman emphasized that the subject property is zoned R-4; and, under the law, property owners are entitled to build in conformity with the zoning of their property. The City Planning Commission is not mandated to be the protector of the beauty of San Francisco; but it does have responsibility for upholding the law. If the proposed building is poorly built, it will remain vacant; and the developer would run the risk of losing his property. Yet, he felt that the developers should have the legal right to proceed with construction of the building as long as it conforms with the R-4 standards of the City Planning Code. Therefore, he intended to vote against the motion.

When the question was called, the motion failed by a vote of two to four. Commissioners Porter and Ritchie voted "AYE"; Commissioners Finn, Fleishhacker, Newman, and Rueda voted "NO". Therefore, the request for discretionary review was denied.

The meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, July 17, 1975.

The City Planning Commission met pursuant to notice on Thursday, July 17, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, and John Ritchie, members of the City Planning Commission.

ABSENT: Thomas J. Mellon and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Lucian Blazej, Planner IV; Charles Gill, City Planning Coordinator; William Duchek, City Planning Coordinator; Wilbert Hardee, Planner III; Marie Zeller, Planner III Administrative; Linda Ferbert, Planner II; Robin Jones, Planner II; Ralph Gigliello, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Russ Cone, represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Dean L. Macris, Director of Planning, advised the Commission that he had appeared before the Port Commission earlier in the day to report on the status of plans for the Northern Waterfront. During the course of the meeting, the Port Commission had voted to authorize its staff to negotiate a lease of piers 37, 39 and 41 to developer Warren Simmons. However, San Francisco Tomorrow has challenged the legality of the procedures followed by the Port Commission in pursuing the lease; and the matter will not come before the City Planning Commission until that issue is resolved and a lease has been awarded.

Individual members of the Commission expressed concern about the fact that a proliferation of law suits by citizen groups will tend to discourage developers from considering projects in San Francisco. Commissioner Fleishhacker observed that lawsuits are

not peculiar to San Francisco; however, the prospect of possible litigation should cause public agencies to be extremely careful that the procedures which they follow do not provide grounds for a lawsuit. The Director stated that he would continue to work with all interested groups concerning development proposals on the Waterfront in an attempt to bring about agreements enabling progress to be made.

The Director reported that the draft Environmental Impact Report for the Performing Arts Center was made available to the public on July 11. The report contains a rendering of the proposed facility which has been published in one of the local newspapers; but a letter which had been received from Samuel B. Stewart, president of the Sponsors of San Francisco Performing Arts Center Inc., stated that the rendering was intended only as a "preliminary elevation" to illustrate the height and bulk of the proposed building and its relationship to the greater Civic Center area. Mr. Stewart's letter also assured the Commission that the Sponsors' architects would continue to work on a design which would be completely compatible with the surroundings in which the project is to be located. The Director stated that a public hearing on the Environmental Impact Report is scheduled for August 14.

The Director noted that a letter had been received from Jude Laspa, Vice President of the Eureka Valley Promotion Association, requesting reconsideration of the Commission's denial of a request for discretionary review of a project proposed at 4050 - 17th Street. The Director stated that the reconsideration will be scheduled on July 31 following certification of the Environmental Impact Report for the project.

The Director completed his report with the following statement:

"The Department received, yesterday, findings of fact and a written decision by the Board of Permit Appeals on the question of variances to remove the termination date for billboards on the freeways in San Francisco.

"As reported earlier to the Commission, the Board of Permit Appeals on June 16 heard appeals by the two major general advertising companies, contending that the Zoning Administrator should have accepted variance applications to remove the November 1975 termination date. The City Attorney had advised the Zoning Administrator that he had no jurisdiction to consider such applications. At its hearing, the Board of Permit Appeals

indicated that it was over-ruling the Zoning Administrator's determination.

"The written findings and decision, which were adopted by the Board at its meeting Monday but not made available to us until yesterday, go even farther. What they purport to do is actually to grant the variances to the billboard companies, on the basis that the Zoning Administrator's refusal to accept the applications constitutes a denial which the Board is over-ruling.

"This is an unexpected step, and one that we feel the Board of Permit Appeals has no way of justifying. We will be conferring with the City Attorney as to what might occur next."

DISCUSSION OF COMMERCE & INDUSTRY BACKGROUND PAPER ON LABOR-FORCE TRENDS.

Robin Jones, Planner II, summarized the report and responded to questions raised by members of the Commission.

PURSUANT TO CITY PLANNING RESOLUTION NO. 7307, REVIEW AND APPROVAL OF FINAL PLANS AND SPECIFICATIONS FOR A MAJOR PARKING GARAGE FOR WHICH A CONDITIONAL USE WAS APPROVED ON MARCH 27, 1975, SOUTHWEST CORNER OF HOWARD AND STEUART STREETS; IN A C-3-S (DOWNTOWN SUPPORT) DISTRICT.

William Duchek, City Planning Coordinator, stated that Condition No. 3 of Resolution No. 7307 had specified that "final plans and specifications developed in consultation with the Department of City Planning shall be reviewed and approved by the City Planning Commission before any super-structure construction permit for the site is approved by the Department of City Planning, and all development on the site shall be in general conformity with those plans." He then reviewed the final plans which had been submitted and explained the type of building materials which would be used by the developers of the proposed parking structure.

Commissioner Ritchie asked if the building had been designed so that additional floors could be added in the future. Mr. Duchek replied in the negative.

Commissioner Ritchie then observed that the space between floors and the ramp arrangement would probably prevent the building from being converted for office use in the future if the demand for

off-street parking spaces should decline; and he indicated that he was concerned about that problem. Commissioner Fleishhacker observed that the developer had made it clear that the building could not be converted when the matter was previously considered by the Commission.

Dean L. Macris, Director of Planning, recommended that the final plans for the proposed parking structure be approved as submitted.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the final plans be approved as submitted.

R75.33 - PURCHASE OF PROPERTY FOR COMMUNITY CULTURAL CENTER AT 455 VALENCIA STREET.

Ralph Gigliello, Planner II, reported on this matter as follows:

"The Director of Property has referred for review as to conformity with the Master Plan a proposal to purchase property at 455 Valencia Street (Assessor's Block 3554, Lot 20) for the purpose of using the building as a community cultural center for the artistic and cultural activities of the Neighborhood Arts Program.

"The property is on the east side of Valencia Street between 15th and 16th Streets. Sparrow Alley abuts the property to the north and Caledonia Street to the east. The building, built in the 1920's, is two stories in height and covers the entire 50 by 100 foot lot. It has been used for an undertaker's business and as a church. It is presently used as a Hare Krishna Temple.

"The zoning district is C-M (Heavy Commercial). Commercial uses occupy the Valencia Street frontage, with some apartments on upper floors. Apartments are immediately east of the site.

"A variety of activities are contemplated for the cultural center, including graphic arts and crafts and theater arts. The only physical alteration proposed to convert the building to this use would be the addition of rear fire escapes.

"The Residence Element of the Master Plan calls for residence as a mixed use with commercial or industrial uses in this area. The proposed center would be compatible with both commercial and residential uses as it is intended to serve only the local community and, by being convenient to residences, attract primarily pedestrian traffic. The Transportation Element designates 16th Street as a transit preferential street, which may encourage pedestrian rather than vehicular traffic in the area. The Recreation and Open Space Element identifies this area as a "high need neighborhood" which should receive priority for new parks and recreational improvements. This policy can be extended to include local cultural activities such as those proposed.

"The Transportation Noise Section of the Environmental Protection Element identifies Valencia Street as experiencing transportation noise levels at 75 decibels. This Section's Land Use Compatibility Chart for Community Noise indicates that new construction or development of auditoria and concert halls should generally not be undertaken in areas experiencing Ldn values of 65 decibels or higher. This Chart indicates that new construction or development of movie theaters in areas experiencing Ldn values of 70 decibels or higher "should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design." Therefore, it would be desirable to determine the externally generated noise levels experienced inside the subject building, in order to analyze the degree to which this would interfere with the proposed activities. Insulation or other features could then be designed to reduce the interference, if necessary."

Commissioner Porter asked if the Neighborhood Arts Program is administered by the Art Commission and received an affirmative response.

Ray Taliaferro, a member of the Art Commission, stated that 12 community cultural centers are being created, three of which will be located in the Mission District. He remarked that the Art Commission was aware of the noise factor related to the building presently under consideration; but he indicated that the types of activities which would be bothered by street noise would take place in an interior auditorium which is shielded from street sounds. The Art Commission was primarily concerned about the accessibility

of the building to residents of the area; and it was felt that people in the neighborhood are accustomed to traffic noise. He stated that the purchase price of the building would be $83,000; and as much as $17,000 may be spent for renovation of the building.

Dean L. Macris, Director of Planning, recommended that acquisition of the property be approved as in conformity with the Master Plan provided that a noise analysis is completed and considered prior to the acquisition.

Commissioner Fleishhacker remarked that the Art Commission should be able to determine whether a noise analysis is desirable; and, if so, the test would be easy to conduct. Therefore, he moved that the Director be authorized to report that acquisition of 455 Valencia Street, Lot 20 in Assessor's Block 3554, for use as a community cultural center, is in conformity with the Master Plan provided that a noise analysis is completed and considered prior to said acquisition if the Art Commission determines that such an analysis would be desirable. The motion was seconded by Commissioner Ritchie.

Commissioner Porter stated that the language contained in the motion might be interpreted more stringently in the future; and, as a result, she intended to vote against the motion.

When the question was called, the motion passed by a vote of 4 - 1. Commissioners Finn, Fleishhacker, Newman, and Ritchie voted "AYE"; Commissioner Porter "NO".

R75.36 - VACATION OF EASEMENT ON LOT 43, BLOCK 6772, MONTEREY BOULEVARD AT CIRCULAR AVENUE.

Ralph Gigliello, Planner II, reported on this matter as follows:

"The Director of Property has referred for review as to conformity with the Master Plan a private proposal entailing the elimination of an easement imposed in 1970 at the time of vacation of a portion of Acadia Street.

"In 1969, the City Planning Commission considered as a referral (R.69.40) the proposed vacation of Acadia Street between Monterey Boulevard and Circular Avenue. The Commission found that the proposed vacation was in conformity with the Master Plan, provided that the City has given an easement to use a portion of the site then known as Lot 1, Block 6773 but now the easterly 83'-8" of Lot 43, Block 6772, for street purposes. The street purposes were defined as 'including sight distance, landscaping and intersection redesign.'

"Although the streets in this area were subsequently redesigned, the construction has not utilized the subject site, nor has landscaping been provided. The Department of Public Works has stated that an open area on this property is not needed for sight distance at the intersection. In order to allow the construction of two units of family housing, the vacation of the easement is proposed. One of the units would be constructed partially within the easement area. The remainder of the easement area would be landscaped by the owner.

"The Department of Public Works has requested access to Lot 43 from Monterey Boulevard be prohibited in the easement area. The plans by Young and Associates dated May 30, 1975, conform to this request.

"Single-family houses as proposed are permitted uses in the subject R-3 zoning district. The plans submitted conform to applicable City Planning Code restrictions. The Residence Element of the Master Plan calls for medium-density housing at this location.

"The subject site is in an area of loud background noise levels as defined in the Environmental Protection Element of the Master Plan. For residential development of this site:

> 'a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.'

State-imposed noise insulation standards which would apply to the proposed construction satisfy this Master Plan consideration."

Dean L. Macris, Director of Planning, recommended that the vacation of the easement be approved as in conformity with the Master Plan providing that the building design and landscaping generally conform to the plans which had been submitted and to State-imposed noise insulation standards administered by the Department of Public Works.

No one was present to be heard on this matter.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that the Director be authorized to report that the vacation of the easement on Lot 43, Block 6772, for the construction of two single-family houses is in conformity with the Master Plan, provided the building design and landscaping generally conform to the plans by Young & Associates, dated May 30, 1975, and to State-imposed noise insulation standards administered by the Department of Public Works.

At 3:25 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:40 p.m. for hearing of the remainder of the agenda.

3:40 P.M. - ROOM 282, CITY HALL

PUBLIC HEARING ON MISSION NEIGHBORHOOD PLAN, AS PROPOSED BY DEPARTMENT OF CITY PLANNING STAFF IN DRAFT DATED MAY, 1975.

Linda Ferbert, Planner II, summarized the draft of the Mission Neighborhood Plan which had been prepared by the staff of the Department of City Planning. At the conclusion of her presentation, she responded to questions raised by members of the Commission.

Commissioner Ritchie noted that Miss Ferbert had described the northern boundary of the Inner Mission District as being marked by the Central Skyway at 13th Street; yet, the map which appeared on the cover of the report which had been published by the Department of City Planning extended as far north as 9th and Market Streets. Miss Ferbert replied that the Inner Mission District is usually defined as the area south of the Central Skyway for planning purposes. However, statistics must be gathered by census tract; and the boundaries of relevant census tracts extend to 9th and Market Streets.

Commissioner Finn remarked that he is in favor of "Protected Residential Areas; however, looking at the matter from the point of view of the Municipal Railway, he pointed out that the diversion of automobile traffic from residential streets to transit preferential streets may be counter-productive.

Jack Bourne, representing the Mission Housing and Development Corporation, expressed his appreciation to the staff of the Department of City Planning for the cooperation demonstrated in preparation of the draft report in response to a more detailed plan which had been authored by his organization. He informed the Commission

that the Board of Directors of his organization had met on Friday, July 11, and had adopted the following resolution:

> "That the Mission Housing Development Corporation accept the Mission Neighborhood Plan which was drafted by the City Planning Department as a public guidance document in response to the more detailed Mission Plan authored by the MHDC, subject to those changes and additions being reviewed and agreed to by Ms. Linda Ferbert of the City Planning office in her meetings with Mr. Jack Bourne and the MHDC Board of Directors."

President Newman inquired about the composition of the Mission Housing and Development Corporation. Mr. Bourne replied that the corporation is a non-profit organization which is funded through the Model Cities program; and he indicated that the organization had been particularly successful in arranging for low-interest rehabilitation and home-ownership loans.

Toby Levine, representing the Mission Planning Council, read and submitted the following prepared statement:

> "The members of the Mission Planning Council have reviewed in some detail the Mission Neighborhood Plan. In general, we are very pleased with the document and feel that the adoption of this Plan as a policy base for future improvements in the Mission, will be of great benefit to the community. We would also like to sincerely thank the staff of the Department involved with the drafting of this Plan. We feel they have done an excellent job.
>
> "On July 9, the Mission Planning Council held a Community Forum-Workshop to review the policies and programs recommended in this Plan. The Pastors of all Mission District Churches plus the leadership of all the major organizations in the Mission District were invited to attend and participate. Fifty people did attend representing 18 different Mission District organizations. Workshops were held on each of the major topics and recommendations for changes, deletions and additions were made. We are attaching copies of these recommendations for your review and as part of the record. We would hope that these points would be incorporated into the final draft of the Plan.

"Listed below you will find some of the points of concern of the Mission Planning Council with regard to the Plan.

1. In the policy sections, we would like to see the language strengthened. For example, when it says, 'encourage the retention of...' we would prefer that the policy simply say 'retain'.

2. In the actual text, which follows each policy, we would like to see that the solutions be more clearly spelled out, including time-tables for action if applicable. For example, Policy III in the Housing Section, page 14 recommends the protection of pockets of existing housing which are within industrial areas of the Mission. Then the text explains why this is important, which we readily agree with. But there is no indication of ways this might be done.

3. Policy II, also on page 14, relates to a concentrated rehab program in particular areas of the Mission. We are concerned about the manner in which rehab areas are to be selected... and would be interested in what criteria is to be used. Also, in connection with any City - sponsored rehabilitation program which should come up in the future, that some comment be made in the Mission Plan with regard to citizen participation.

4. In the Plan for Residence and in the original Plan for the Inner Mission published by the MHDC, the area around the new Regal Pale School, is shown as a conversion area for housing. (This is known as phase I of the NEIZ Plan, and is basically the area between 18th and 20th Streets.) We would like this area to be shown as a conversion area in the Mission Plan.

5. In the Community Services section, beginning on page 19, we have a number of changes in language, which are presented on the legal size paper and are notes from the Community Forum. But aside from that, we would like to have the Planning Department better inform the interested neighborhood groups about the Master Plan Review process for public buildings and public sites. Recently, we have had a very ugly public building slip through our fingers and into the

neighborhood because of a lack of awareness on how to use this process. Perhaps there can be a way in which this power on the part of the Commission could be even strengthened.

6. In the Parks and Recreation, we would like to indicate that the first priority for the neighborhood is the development of new parks and recreational facilities, including a gymnasium.

7. In that same section, we would like to indicate that there is a need for better co-ordination between the Park and Recreation Department, the Community and City Planning. Without that, any improvements will deteriorate quickly.

8. In the introduction to that section, there should be some indication that the Mission District has been declared a high need area, for recreation facilities.

9. It may be difficult to put this in the Plan, but we are dissatisfied with the staffing procedures in the Mission and in Park and Recreation in general, in that there is little evidence of an affirmative action program being carried out insofar as the Latino population is concerned.

10. In the transportation section, which begins on page 26, we feel that stronger emphasis should be made on the diversion of commuter and truck traffic away from residential streets. This can only be done if there is a definite plan developed for so doing. Therefore, we would hope that one of the recommended programs would be to develop an all over plan for the Mission with regard to truck traffic, commuter traffic, circulation and the use and scheduling of Protected Residential Areas.

11. In this section, we think that not enough recognition has given to the parking problems in the District for both commercial and residential interests. Again, we would hope that a parking study and resultant plan could be made in the course of this next year, and that this be one of the recommended programs.

12. Economic Development begins on p. 31. One question or point is that we would like to know exactly what 'direct Assistance' means. What kind of assistance.

13. We would also like to see Policy two strengthened, but we also realize that this will depend partially on the results of the Commerce and Industry study now being conducted.

14. Under the recommended programs with regard to Economic Development, we would like to see a city-wide review of the permitted uses in C-2 (neighborhood shopping districts). We are currently having considerable difficulty in our neighborhood in these areas due to the broadness of the permitted uses. We would also like to have the Department examine the Boston Plan, and a possible reconsideration of the use of discretionary review for Mission Street. We would suggest that one of the recommended programs in the back of the Mission Plan be that City Planning Department embark upon a re-evaluation of the C-2 Districts.

15. Finally with reference to the final section on Urban Beautification, we believe that the top priority must be in the removal of litter and garbage in the Streets. It is important for the Commission and the Department to realize that the Mission is a densely packed neighborhood, and that the level of service must be increased.

"Thank you very much for the opportunity to be able to speak on this very important matter. We know that other organizations will have important points to make. We hope that you and your staff will take them all into consideration, and that when this Plan is finally completed, it will be near-perfect."

Roger Otto, representing the Mission Merchants Association, remarked that the draft report reflected the deep concern of the staff of the Department of City Planning relative to the needs of low- and middle-income residents of the neighborhood; but he felt that the plan was deficient in giving attention to the concerns of commercial investors, operators, and workers who also have an interest in the neighborhood. Under the circumstances, he hoped

that the Commission would give his organization and the staff of the Department of City Planning additional time to consider those concerns before taking action on the plan.

Robert Cook, planning consultant to the Mission Merchants Association, made the following statement:

"The purpose, strength and utility of publicly stated and officially adopted objectives and policies is to influence the actions of all who participate in modling modifying the City over a period of time for the enhancement of the satisfactions of all of its people. The Commission and its staff have been developing such a body of policy for the City as is reflected in the Comprehensive Plan sections dealing with Urban Design, Residence, Transportation, Recreation, etc.

"When completed, the body of policy for the City must be internally consistent and economically rational for all of the City. The policy plans for the neighborhoods of the City need to be consistent, both internally and with City-wide policy. In addition, policy must be economically rational and capable of realization within a reasonable time frame.

"The concerns and aspirations of one interest group representing a neighborhood or community are rarely representative of those of all the interest groups of the same locale, and even more rarely of the whole City. It is, therefore, the burden of the City's representatives to integrate and to temper the expressed aspirations of all groups to maximize the benefit for all of the City's people.

"Though the draft of the Mission Neighborhood Plan was prepared by the Planning Department staff as the task was assigned, it does not seem to fulfill the above criteria.

"The Mission Neighborhood Plan draft is a qualified distillation of the Mission Housing Development Corporation's Plan for the Inner Mission, 1974. The Corporation's Plan had a limited intent as indicated in Book 2, page iii, Purpose: 'The Mission Plan has five emphases related to the needs and methods of improvement of the Inner Mission District for those who live and work there now.'

"Housing and housing environment in the Inner Mission are the main concerns of the Mission Plan.'

"Book 2 page 72, General Implementation, II Recommended Objective and Policies, Objective: 'Provide residents and community organizations in the Inner Mission with suggestions on ways to make governmental and private interests, including the Mission Community organizations, work more effectively to bring about improvements in housing and other community services, which are especially beneficial to the present low and moderate income residents of the Inner Mission.'

The utility or effectiveness of a plan for the Mission is dependent upon its validity to all who are subject to its policy statements. Such validity is obtained from sound, accurate data, rational projections, and sensitive interpretations. These interpretations must harmoniously integrate the social and economic characteristics acting in and on the people of the Mission as well as its physical components.

"Thus, in order to establish credibility in the minds of future investors in the Mission (social or economic, public or private), additional information is needed.

"It would seem reasonable that other studies prepared for the City which dealt with different aspects of the future development of the Mission should be considered in addition to the outstanding work done by the Mission Housing Development Corporation. With appropriate updating, such studies as Mission Transit Station Areas Design Study, Mission Urban Design Study, Rapid Transit Corridor Study Area of the City of San Francisco and others could make significant contributions to the preparation of a policy plan for the Mission.

"Additional studies and analyses would be necessary to provide sufficient information for full integration of the physical, social, and economic characteristics at work in the Mission over a period of time. However, tempered with such input, policies could be formulated, discussed, and understood by all concerned with the future of the Mission, dispelling the uncertainties presently found among so many Missionites. Then,when adopted as the City's official

policy, a Policy Plan could be relied upon in making public or private plans and in implementing related programs in the Mission. The absence of such certainty regarding the future of the Mission is presently inhibiting or minimizing private investment.

Mr. Otto then offered the following remarks:

"All of us have some knowledge of and values regarding the residential environment derived from years of living in houses in cities. However, our individual experience in the many other facets of urban life may be more limited. Most of us only know the customer's view of merchandising, and thus are inadequately qualified to theorize and analyze as a merchant. The traffic engineer has special knowledge which can relieve the problems we experience as travelers in the City. The spatial relationships of the uses of land affect us all--laymen and experts. It is the community of understanding among all those concerned that can provide the highest levels of satisfaction for all in both the short-run and long-run.

"For the merchants, Chapter 5, Economic Development in the Mission Neighborhood Plan draft is the most germane. Yet, among the seven policies listed, there is little if any consideration given to customer's convenient access to shops and offices offering goods and services economically advantageous to those customers. Groups of retail outlets, having great buying power, can offer desired merchandise at relatively low prices for the benefit of the customer. This is especially important to those having limited incomes. However, the Plan draft gives more detailed consideration to the nature and desirability of the corner store, and the local ownership of Mission businesses. A great amount of the expenditures by Mission consumers has been somewhat slighted in policy formulation.

"The Plan's proposal for maintenance and enhancement of the strip commercial development along Mission Street, Valencia Street, and 24th Street seems to be inadequately concerned with the convenience of the customers. Generally, contemporary merchants are concerned with grouping stores offering related kinds of merchandise for the pedestrian convenience of the customer.

"The foci of the BART stations at the intersections of 16th and 24th Streets with Mission Street are treated with somewhat greater concern for the present residents of the immediate areas of the stations than for the thousands of daily shoppers and travelers who use the areas. Clearly, there is need to carefully investigate the relative costs and benefits (social, economic and physical) to all those concerned. It would seem desirable for such information to be available for all to evaluate and understand. Then, the social, economic, and physical alternatives can be rationally evaluated and a solution determined which provides the greatest social, economic and physical benefit for the Mission at the least social, economic and physical cost."

Robert Kruseberger, a realtor and a member of the Mission Merchants Association, made the following statement in introducing additional speakers:

"While great concern for the quality of the environment is referred to throughout the draft, the policies offered seem remiss in addressing the causes of worsened environmental quality. Some of the more frequently mentioned environmental dissatisfactions are: trash on Mission Street; congested traffic on Mission Street; and dilapidated appearance of many of the establishments on Mission Street."

George Rodriguez, a member of the Board of Supervisors of the Mission Merchants Association, continued, as follows:

"Regarding Trash on Mission Street: The generators of trash are some of the merchants, the pedestrians and the auto and bus riders traveling Mission Street. Part of their anti-social behavior derives from their attitude toward the Mission and the other people in it. This can only be effectively corrected when that attitude changes. However, there are physical difficulties inhibiting such a change. For example, most of the stores do not have any street access other the Mission Street--via the front door of the shops. This necessitates merchandise being transferred from trucks parked on Mission Street, across the sidewalk, through the sales area of the store, then into the storage area in the rear, the basement or the second floor of the store--surely a less than ideal arrangement. The trash generated by the store, because of lack of an alternative exit, must travel the same route

in reverse, to be left for pickup by the scavengers. It would seem a desirable policy to develop alternate access for truck pickup and delivery, leaving Mission Street for the pedestrians and vehicles traveling in the Mission. While providing such access for the strip commercial development indicated in the draft Plan would pose great disruption--social, economic, and physical; a clustering of shops might offer a more favorable cost-benefit (social, economic, and physical) solution to these problems."

Martin Winslow, President of the Mission Merchants Association, made the following remarks:

"Regarding Congested Traffic on Mission Street: As is indicated above, such traffic congestion as is created by trucks is liable to solution. The remaining congestion would derive from traffic volume exceeding the carrying capacity of the street, double parking of autos, and bus or jitney loading and unloading which block a 'moving' lane. As with littering, in the above paragraph, some of the problem can be relieved by a change in the attitude and behavior of the people using Mission Street; and some of the problem stems from physical difficulties. The volume carrying capacity of Mission Street is reduced by double parking, and bus or jitney stops blocking a 'moving' lane. If there were off-street parking located convenient to the shoppers' destinations, then automobile double parking, and parking in bus loading zones could be effectively stopped. If there is insufficient carrying capacity on Mission Street for the traffic corridor, then providing alternative routes could offer desired relief. If there are insufficient or inadequate bus loading zones, then sufficient, adequate zones need to be provided. The Plan draft is not sufficiently clear in such policies."

Mr. Kruseberger continued the discussion of environmental dissatisfactions and concluded the presentation of the Mission Merchants Association, as follows:

"Regarding the Dilapidated Appearance of Establishments on Mission Street: The condition of the stores along Mission Street is a direct reflection of the motivation and ability of the owner or lessee to make the needed capital investment. The motivation to make the

investment, in turn, is dependent upon the owner's or lessee's degree of certainty of being able to profitably repay such capital as he may need to invest in remodeling or replacing his store. Such certainty is also needed by the lender from whom he borrows to make his improvements.

"In any case, the investment entails risk, which determines the cost of making such investment. The greater the risk, the less capital available; the lower the risk, the greater the capital available. The problem would seem to be how to minimize the risk. The magnitude of the risk is determined by present and future discord or accord among those whose opinions and values affect the use of the land in question. To the extent that all concerned are fully informed and can reach agreement regarding present and future cost-benefit (social, economic, and physical), the reasonableness of that use of that land is rather certain, i.e. the risk is very low. The risk will be high if all are not fully informed, or if all the social economic, and physical costs and benefits are not fully discussed and understood, and resolved to optimize the cost-benefit relationship.

CONCLUSION

"As information and understanding are increased among all those concerned (residents, merchants, industrialists, owners, and government), the solutions to the problems they experience individually or in groups can and will be resolved. However, there must be a real motivation to resolve them. From the experience of working together a common concern can develop for the mutual welfare of all the people of the Mission. In order to lay a foundation upon which the aspirations of all the people of the Mission can be built, a body of policy must be developed with the cooperation and participation of all those concerned with the Mission and its future."

Dean L. Macris, Director of Planning, advised the Commission that he had met with representatives of the Mission Merchants Association the previous week. Everyone was in agreement that the plan presented before the Commission for consideration was not completely comprehensive; and he had told the Mission Merchants Association that the staff of the Department of City Planning is committed to working closely with that organization on a special study which will

deal exclusively with the unique problems of the Mission Street commercial district. He indicated that an effort would be made to initiate that study in the fall.

Mr. Otto stated that it was obvious that further studies would have to be made; and he indicated that an appendix to the written submission made to the Commission by the Mission Merchants Association offered suggestions of topics which should be considered during the course of future studies. He also remarked that the plan which had been prepared by the staff of the Department of City Planning contained broad general policies but lacked recommendations for specific programs, and a second appendix to the written submission of the Mission Merchants Association contained a suggested work program for tentative commercial development program. Finally, in undertaking further studies, he felt that everyone should give consideration to the City's revenue sources with an awareness that tax increases automatically become cost increases which inevitably become price increases, and he felt that costs should be a factor as the staff of the Department of City Planning gives consideration to programs as opposed to policies.

Michael Mcbill, representing the San Francisco Planning and Urban Renewal Association (SPUR), stated that members of his organization were pleased to note the general level of agreement between the plan which had been prepared by the Mission Housing and Development Corporation and the plan which had been prepared by the staff of the Department of City Planning; and he felt that the staff plan had effectively resolved some of the divergent proposals in the Mission Housing and Development Corporation's plan. He recognized that there continued to be a conflict between the housing needs of the community and the commercial and parking needs of the Mission Street merchants; and, as a result, he supported the follow-up study which had been recommended by the Director of Planning.

Bill Winfield, representing the Mission Coalition, stated that he had no disagreement with the goals expressed in the staff report; but he emphasized that the full cooperation of the staff of the Department of City Planning would be needed to expand the report to take into consideration the human needs of the population as a whole.

Ena Spackman, representing the Planning Committee of the Mission Coalition Organization, stated that she shared Commissioner Ritchie's concern about the fact that the boundaries of the study area overlapped into the South of Market neighborhood. She also agreed with Mr. Otto that it was wise to separate policies and programs; but she

felt that it was important that specific social and physical programs should be proposed. She also agreed that special studies should be undertaken which would focus on the interests of the Mission Street merchants. She suggested that physical planning should be related to social services planning; and she felt that the plan which had been prepared by the staff of the Department of City Planning was deficient in so far as it did not adequately deal with the Mission District as a high-need recreational area. While it appeared that the Commission was in a rush to adopt the plan which had been prepared by the staff, she remarked that a delay of two or three months should have little effect in the long run; and she requested that action on the plan be deferred until September to provide sufficient opportunity to amend the plan to reflect the concerns of the Mission merchants and to include recommendations relating to the recreational and social service needs of the neighborhood. She remarked that it would not make good planning sense to adopt the plan on a piecemeal basis; and she urged the Commission to defer action until the plan is amended to the satisfaction of everyone concerned.

Jack Bartolini, felt that "downzonings" which had been approved by the Commission and the Board of Supervisors were responsible for the deterioration of the Mission District; and he believed that the Commission's failure to re-imburse owners of properties which have been "downzoned" for the property value lost is "unconstitutional".

Mr. Centurion, representing the Association of Latin American Businessmen, suggested that the policies relative to commercial areas where small businesses are located should be strengthened, particularly with regards to transportation, trash, etc.

President Newman noted that the staff had indicated that it would be prepared to make recommendations concerning possible revisions in the report by August 14. However, the representative of the Mission Coalition Organization had requested that action on the report be deferred until a later date. The Director stated that he would consider the request for postponement beyond the August 14 date and would make a recommendation on that matter to the Commission at its next meeting.

Respectively Submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, July 24, 1975.

The City Planning Commission met pursuant to notice on Thursday, July 24, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Edward I. Murphy, acting Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Alec Bash, City Planning Co-ordinator; Robin Jones, Planner II; Ralph Cigliello, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of June 26, 1975, be approved as submitted.

At this point in the proceedings, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, distributed copies of a report entitled "Commercial Trends", the third in a series of reports containing background information for the Commerce and Industry Element of the Comprehensive Plan. He indicated that a presentation will be made during the Commission's next meeting on July 31, at which time the staff will summarize the report and respond to any questions which might be raised by members of the Commission.

The Acting Director noted that a request had been made during the Commission's public hearing on the Mission Neighborhood Plan that the next hearing be deferred until September. Following that meeting, representatives of the Mission Merchants Association had also requested an extension of time. Subsequently, the staff of the Department of City Planning had conferred with other organizations in the Mission District; and they had concurred in a postponement of the next public hearing until October 9. On that date, the staff will present its proposed revisions to the Plan.

The Acting Director informed the Commission that the Board of Permit Appeals, meeting on Monday, had voted 3 to 2 to sustain the Commission's denial of building permit applications for two attached single-family residences on Belgrave Avenue in an R-1-D District.

The Acting Director reminded the Implementation Committee (Commissioners Fleishhacker, Porter, Rueda), of a meeting scheduled next Thursday, July 31, at 12:00 noon, to review zoning cases to be considered by the full Commission on August 7.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

President Newman read the following letter which had been addressed by the Zoning Administrator to the Board of Permit Appeals:

"A rehearing is respectfully requested in the referenced Appeals, in which your honorable Board voted on June 16, 1975, to overrule the Zoning Administrator's determination that he lacks authority to grant a variance from the amortization provisions of the City Planning Code applicable to nonconforming general advertising signs along freeways in San Francisco. The Notice of Appeal signed by the appellant in each case describes that determination as 'refusing to conduct a hearing on appellant's application for a variance from the strict application of Section 609.4 of the San Francisco Planning Code ....'

"The determination appealed from in each case was a letter of May 20, 1975, to the appellants, in which the Zoning Administrator reported that the City Attorney had rendered his opinion stating that the Zoning Administrator has no authority to grant a variance from the amortization provisions applicable to these signs, and that therefore the two proposed applications could not be accepted for filing.

"At the requested rehearing this Department will be prepared to demonstrate that the Board's written findings and decisions of July 14, 1975, reach far beyond the scope of the Zoning Administrator's determination and the Board's hearing and action of June 16, 1975, in purporting actually to grant the variances referred to in the two Notices of Appeal. In this regard, the variance applications were not accepted, heard or acted upon by the Zoning Administrator, and the necessary supporting documentation was never supplied. Furthermore, this Department will be prepared to demonstrate that the written findings which your honorable Board has issued do not meet the standards of Section 308.2(e)2 of the City Planning Code for overruling the Zoning Administrator in a determination made under that Code on the basis of error in interpretation or abuse of discretion. In this regard, the City Attorney has advised that no jurisdiction exists for the granting of a variance from the City Planning Code provision in question, and it appears that the determinations made by the Zoning Administrator in refusing to accept the applications were, furthermore, not appealable as a matter of law.

"A rehearing will provide your honorable Board with the opportunity to withdraw the erroneous decisions and to concur with the Zoning Administrator in his determination as to lack of jurisdiction."

Commissioner Rueda inquired about the length of the extension being requested by the billboard companies. R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), replied that the billboard companies were not requesting an extension but were instead requesting that the termination date for amortization of the billboards be removed altogether.

President Newman remarked that an editorial in a recent edition of the San Francisco Examiner had claimed that the billboard companies had previously agreed to the November, 1975, termination date for the billboards but that there was no written evidence that such an agreement had been made. Commissioner Mellon stated that he recalled that such an agreement had, in fact, been reached.

CONSIDERATION OF DRAFT RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING TO ENTER INTO A CONTRACT AGREEMENT WITH THE MISSION PLANNING COUNCIL FOR STUDIES IN THE INNER MISSION AREA.

President Newman stated that he had received a letter from Francisco J. Centurion, President of the Association of Latin American Businessmen, supporting the proposed contract between the Department of City Planning and the Mission Planning Council.

George A. Williams, Assistant Director - Plans and Programs, summarized the draft resolution which read as follows:

"WHEREAS, The Board of Supervisors, with its approval of the Community Development block grant application, as amended, Resolution No. 192-75, approved the allocation of $10,000 to provide technical assistance to the Mission District related to recommendations that are aimed at the improvement of physical, social and economic conditions therein; and

"WHEREAS, The staff of the Department of City Planning intends to work with community groups in the Mission in studies such as developing an improvement program for the 24th Street shopping district, establishing a schedule of protected residential area improvements, and devising a schedule of priorities for use of Proposition J funds;

"WHEREAS, The full participation of the many community groups in such studies is essential in obtaining a successful program for the Mission; and

"WHEREAS, The Mission Planning Council is a recognized and accepted citizens planning organization in the Mission capable of enlisting such participation; and

"WHEREAS, The Mission Planning Council will maintain the policy in its By-Laws of open membership to all individuals living or working in the Mission, and to organizations based in and operating primarily in the Mission, and will, within the limits of its resources, seek out the assistance of both the residential and commercial sectors of the community;

"NOW THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby authorize the Director of Planning to enter into and sign an agreement with the Mission Planning Council to undertake and complete those studies directed toward the improvement of the Mission."

Commissioner Porter asked if the proposed contract had been discussed with other organizations in the Mission District. Mr. Williams replied in the affirmative and indicated that an arrangement had been worked out which was acceptable to all of the organizations concerned.

Commissioner Rueda, noting that a number of studies relating to the Mission District had been undertaken, expressed concern about undertaking still another study. Mr. Williams explained that the purpose of the contract with the Mission Planning Council would be to implement recommendations which had been made in the other studies. He then read portions of the draft contract which described the nature of the work which was to be performed.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7352.

CURRENT MATTERS CONTINUED

Robert Passmore, Planner V (Zoning), presented the following report:

"As the Commission will recall, earlier this year Supervisor Feinstein requested that the Commission consider using its discretionary powers to review permit applications for the development and expansion of banks and savings and loan associations in neighborhood shopping districts, and the Director indicated that staff would study this matter and report back to the Commission. Staff has not yet completed this study, but it is timely to note that yesterday staff met with Greg Hurst, Manager of the Small Business Department of the Chamber of Commerce and four representatives of local financial institutions to review the value of development guidelines for banks and savings and loan branch offices. The conclusion was that guidelines would be helpful, and the Department will proceed to develop such guidelines. In preparing the guidelines staff will continue to work with the Chamber of Commerce, so as to get the advice of financial institutions and neighborhood merchants associations. Staff will also review potential guidelines with interested residential groups. Staff proposes that guidelines should then be endorsed by the Commission. Future proposals for development that depart

from such guidelines and could have an adverse impact on the adjacent area would be brought to the Commission for its review.

"Additionally, we have found that all banks and savings and loan proposals for new facilities must be reviewed by either state or federal agencies as to location and the financial projections of a proposed facility based on public needs. Except in the case of state banks, notice of applications for such proposals are published in a major local newspaper and public hearings may be held if protests are made to the applicable state or federal regulatory agency. Such a protest was recently made by the Noriega Merchant Association resulting in a decision by the applicant to withdraw their application."

Commissioner Porter remarked that some branch banks in neighborhood shopping centers have provided well-landscaped parking lots; and she felt that the Commission may have been unwise to disapprove applications for such uses in the past. She asked if branch banks and savings and loan institutions are treated as principal uses in C-1 and C-2 Districts.

Mr. Passmore replied in the affirmative and indicated that the City Planning Code requires that a parking lot be provided if such facilities have more than 5000 square feet of floor area.

President Newman advised the Commission that major changes are being made in the banking business as automated systems are being introduced; and he felt that it would be desirable for the Commission to have the guidelines which the staff proposed to prepare for such facilities.

Commissioner Fleishhacker asked if he was correct in understanding that merchant's groups were concerned about savings and loan and branch bank offices because they tend to disrupt the continuity of normal convinient shopping. Mr. Passmore replied in the affirmative. As a case in point, he indicated that the Noriega Street Merchant's Association had recently opposed the opening of two banking facilities on the basis that they would be non-retail in character and would tend to weaken the small commercial area. Such facilities also tend to disrupt pedestrian flow; and, when such facilities are accompanied by parking lots, the parking lots tend to have a detrimental effect on the business community.

Commissioner Mellon asked if banks proposing to install automated stations in parking lots would have to receive authorization from state or federal agencies for such facilities. Mr. Passmore replied that he did not know the answer to that question.

Commissioner Rueda remarked that branch banks and savings and loan institutions are extremely competitive; and he questioned whether the Commission should become involved in regulating the size and location of such facilities.

Mr. Passmore emphasized that the guidelines which would be proposed would not be mandatory; and the only way in which they could be enforced would be

through discretionary review procedures. He also noted that representatives of the industry had indicated that they would welcome the preparation of the guidelines.

CONSIDERATION OF REQUESTS FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NUMBERS 447702,447703 and 447704 FOR THREE SINGLE-FAMILY DWELLINGS ON TWO LOTS PROPOSED FOR CONSTRUCTION AT 1501-1517 WILLARD STREET; IN AN R-1 DISTRICT.

Ralph Gigliello, Planner II, reported on this matter as follows:

"The request before us today is for discretionary review of a proposal to construct 3 single-family houses on 2 adjoining lots in an R-1 single-family residential zone. The site is Lots 45 & 46 of Assessor's Block 2642, Willard Street at Belmont Avenue, Parnassus Heights.

"The plans as proposed conform to applicable provisions of the Planning Code. Section 127 of the Planning Code provides that 'one or more additional dwelling units, each having a separate outside entrance, may occupy any lot in an R-1 District which contains at least 3000 square feet for each dwelling unit on the lot'. Two houses will be constructed on Lot 46 which has an area of 6,162 square feet. One house will be built on Lot 45, which has an area of 2,922 square feet.

"Neighbors requesting discretionary review note:

"1) that the proposed houses would be smaller than the family units which characterize the area;

"2) that 3 curb parking spaces would be lost;

"3) that the visual amenity of substantial landscaping on the site would be reduced;

"4) that traffic hazards may be created.

"These neighbors have requested that construction be limited to 2 houses, that more open space and greenery be preserved, that more curb parking be preserved.

"The project sponsor, Mr. Axel Olson, has noted:

"1) the difficulties of construction upon the steeply sloping site;

"2) his attempt to preserve major trees;

"3) his present residence adjacent to the site, which no longer suits his needs, and need to find some economic use of the site due to rising taxes;

"4) his desire to occupy one of the houses proposed.

"Mr. Olson has stated that, due to his substantial investment in the present plans, he cannot afford to incur further costs for redesign and delay of construction, but that should changes be required, he would relinquish his plans and sell the entire property, including his present home, to move to some other neighborhood in the City."

President Newman read the following petition which had been signed by several residents of the subject neighborhood:

"We, the undersigned, are among many neighbors who object to the proposed construction of three new units at the corner of Willard and Belmont Streets. The construction as planned will have an adverse effect on the environment because the density of structures and the increased auto traffic and parking are too great for the neighborhood.

"The character of the area is one of family residences with many young children, while the proposed units will not appeal to such families because of severely limited yard space. The area already has a serious traffic and parking problem because of the proximity of the University of California Medical Center, and the plans will eliminate several existing parking spaces while increasing the traffic.

"For these reasons, we request that building be limited to a maximum of two structures, that more open space and greenery be preserved, and that more on-street parking be preserved. Other ideas will be forthcoming which the limited time has not allowed us to develop.

"We request that the Planning Commission use its discretion to schedule a hearing on the matter to allow us to speak."

President Newman also read the following letter which had been received from Glenn J. Stanford:

"Please be advised that I am a resident in the above neighborhood at 1502 Willard Street.

"I reviewed the proposed plans to develop the above property in the presence of Ralph Gigliello on this date.

"I was not available at the time another letter was circulated on this date requesting a discretionary review by the City Planning Commission. However, in adding my name to the roster in support of the aforementioned request for discretionary review, I would like to add my humble opinion as to the proposed development.

"On the face of the plans, several problems seem apparent:

"1. The neighborhood will suffer the loss of at least three parking spaces but probably more as the plans now stand.

"2. The neighborhood will suffer an irretrievable loss of innumerable full grown trees and other natural growth which will leave a significant environmental impact on the neighborhood quite apart from the loss of open space.

"3. Our sensitive neighborhood will be faced with serious traffic hazards at the intersection of Belmont and Willard with the projected seven automobiles entering and exiting from the proposed four new driveways at the subject intersection.

"The development of three single family structures on two lots as proposed in this residential neighborhood is, to my knowledge, without precedent.

"I look forward to receiving notification from your good office as to the requested discretionary review hearing."

Commissioner Finn asked what actions had been taken by the staff of the Department of City Planning as a result of its environmental evaluation of the proposed project. Mr. Gigliello replied that the staff had issued a negative declaration for the project based on a finding that the project would have no significant adverse effect on the environment. Residents of the nieghborhood had questioned the action taken by the staff; however, after consultation with the staff they had decided to request discretionary review of the project instead of appealing the negative declaration.

Commissioner Ritchie asked if the staff had had any further contact with residents of the neighborhood. Mr. Gigliello replied that he had understood that residents of the neighborhood had had a meeting to discuss the project and had decided that they had no real cause for concern. He assumed that they were now satisfied since no representatives of the neighborhood appeared to be present in the audience.

Edward I. Murphy, Acting Director of Planning, recommended that the request for discretionary review be denied.

Commissioner Fleishhacker felt that the applicant was proposing a very sensitive development of an important parcel of property. While he could have cut down the existing trees or subdivided the property into three separate lots, he was proposing to do neither of those things; and the plans which had been prepared would substantially preserve the amenities of the site. Under the circumstances, he felt that the residents of the neighborhood would have had a very weak case for a discretionary review.

Commissioner Ritchie agreed with Commissioner Fleishhacker. He felt that the proposed development would be a desirable addition to any neighborhood. By constructing smaller units than others which presently exist in the area, the applicant would be providing a considerable amount of open space on the site; and, in addition, he noted that off-street parking would be provided for residents of the new dwelling units.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the requests for discretionary review of the building permit applications be denied.

At 2:55 p.m. President Newman announced a five minute recess. The Commission reconvened at 3:00 p.m. and proceeded with hearing of the remainder of the agenda.

EE75.187 - APPEAL ON A NEGATIVE DECLARATION ISSUED BY THE DEPARTMENT OF CITY PLANNING FOR THE CONSTRUCTION OF A FORTY UNIT APARTMENT BUILDING AT 1790 BROADWAY.

Alec Bash, City Planning Coordinator, explained the reasons for the staff's decision to issue a negative declaration for the proposed project.

The Commission then received and responded to comments made by members of the audience including David Hartley, 2418 Gough Street; Chester Rhodes, 1787 Broadway; Jane Hartley, 2418 Gough Street; Beatrice Kirshenbaum, 2518 Gough Street; Lillian Manzoni, owner of property located at the southeast corner of Broadway and Gough Street; Harold Dobbs, attorney for the applicant; and Harry Som, the applicant.

Following the discussion, during which R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator) and Selina Bendix, Environmental Review Officer, responded to questions raised by members of the Commission, it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7353 be adopted with the following resolve: "Therefore be it resolved, that the City Planning Commission does hereby find that the proposed project could not have a significant effect on the environment, and does hereby affirm the negative declaration issued by the Department of City Planning."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At 3:55 p.m. President Newman announced a five minute recess. The Commission reconvened at 4:00 p.m. and proceeded with hearing of the remainder of the agenda. President Newman was absent for the remainder of the meeting; and Vice President Porter assumed the chair.

CONSIDERATION OF REQUESTS FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 446761 FOR A FORTY-UNIT APARTMENT BUILDING PROPOSED FOR CONSTRUCTION AT 1790 BROADWAY; IN AN R-4 DISTRICT.

Vice President Porter stated that the Commission is receiving an increasing number of requests for discretionary review; and the results have been quite time consuming. Consequently, the Commission had decided to make a determination as to whether a discretionary review should be held in each instance on the basis of facts contained in written submissions made by

members of the public. She then asked the Secretary to read the letters which had been received relative to the matter presently under consideration.

The first letter, from Ralph L. Coffman, member of the Board of Directors of the Pacific Heights Association, read as follows:

"The Board of Directors of the Pacific Heights Association strongly requests that the Planning Commission require an Environmental Impact Report on the proposed development of the property at 1790 Broadway. In addition, we believe it essential that you take discretionary review of the building permit application.

"It is inconceivable to us that your staff found that a 40 unit apartment building would not have an impact on a neighborhood which already has high density as well as an oversaturation of parking. It is our understanding that all 40 units would be one bedroom apartments and expensive, thereby giving rise to the probability that many tenants of the building would have more than one automobile.

"The approval of the Environmental Impact Report for the formerly proposed project does not, of itself, mean there would not be an impact caused by this project, both because of the different size of the apartments and the length of time which has elapsed since the prior project was reviewed.

"In summary, we strongly urge your requiring an Environmental Impact Report and your taking discretionary review with regard to this project."

A telegram had been received from Daphne Dunn, 1810 Broadway, as follows:

"Strongly urge environmental report and discretionary review of building plans for north east corner Broadway and Gough in view of traffic and esthetic impact on neighborhood."

A letter had also been received from David Hartley, 2418 Gough Street, as follows:

"I believe that the proposed building plan for the northeast corner of Broadway and Gough (referred to in your records as 1790 Broadway) may have a significant adverse effect on the environment and that an Environmental Impact Report should be required.

"In addition, powers of discretionary review as regards this building should be retained by the Planning Commission."

A number of residents of the neighborhood had signed a petition which read as follows:

"I own property within 300 feet of the building proposed for the northeast corner of Broadway and Gough. The proposed building could have a significant adverse effect of the neighborhood.

"I urge the Planning Commission to undertake a discretionary review and to order an Environmental Impact Report on the effect this building might have on the neighborhood."

Vice President Porter asked if anyone in the audience wished to elaborate on the letters which had been received or on the testimony which had been given during the public hearing on the appeal of a negative declaration for the project which had just been concluded.

David Hartley, 2418 Gough Street, stated that forty-five property owners had signed the petition which had been read by the Secretary.

Ralph Coffman, member of the Board of Directors of the Pacific Heights Association, remarked that the developer might make further changes in the design of the building as final plans are prepared; and he felt that it would be important for the Commission to continue to monitor the project. He stated that he was especially concerned about the fact that plans which had been submitted called for gates constructed of metal bars to be used in place of solid garage doors. In addition, the north wall of the building would have openings with metal bars. As a result, noise and air pollution from the garage would escape into the neighborhood.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that landscaping which was shown in a rendering on display in the meeting room was not indicated on the plans which had been submitted; and the staff would be willing to explore the matter of the iron bars at the garage openings. However, a full scale discretionary review did not appear to be warranted in the present instance. Therefore, he recommended that no discretionary review be held.

Harry Som, the applicant, advised the Commission that the grills at the garage openings had been proposed to meet a Building Code requirement for ventilation; however, he assured the Commission that vehicles in the garage would be adequately screened from sight.

Commissioner Finn noted that similar movable grills are used in the garage at the Fontana Apartments.

Commissioner Ritchie observed that residents of the neighborhood had complained that reverberations from the garage through the open grills would be noisy; and he felt that their concerns might be justified.

Commissioner Fleishhacker remarked that all cars make noise. If the garage were to be totally enclosed, large fans would have to be installed for ventilation; and they might be noisier than the automobiles themselves.

Commissioner Mellon suggested that a more attractive sort of grill work might be feasible.

Vice President Porter asked the applicant if he would be willing to work with the staff of the Department of City Planning to resolve the issue concerning the landscaping and the garage openings. Harold Dobbs, attorney for the applicant, replied in the affirmative.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Mellon, and carried unanimously that the request for discretionary review be denied with the understanding that the applicant would continue to work with the staff of the Department of City Planning to resolve the issues concerning the landscaping and the garage openings.

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, July 31, 1975.

The City Planning Commission met pursuant to the notice on Thursday, July 31, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley and Thomas J. Mellon, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Robin Jones, Planner II; Paul Rosetter, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on August 7, 1975.

2:30 P.M. - Room 282, City Hall

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda and carried unanimously that the minutes of the meetings of June 19 and July 10, 1975, be approved as submitted.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, announced that next Thursday's meeting will convene at 1:15 p.m. The meeting on August 14, during which the Commission will consider a Master Plan referral on the proposed expansion of the Southeast Sewage Treatment Plant and the Environmental Impact Report on the proposed Performing Arts Center, will start at 1:00 p.m.

CONSIDERATION OF A RESOLUTION OF INTENTION TO STUDY AND HOLD A HEARING UPON THE DESIRABILITY OF THE RECLASSIFICATION OF CERTAIN PROPERTIES ALONG LINCOLN WAY, JUDAH STREET, LA PLAYA AND GREAT HIGHWAY FROM AN R-4 DISTRICT TO AN R-3.5, OR AN R-3 DISTRICT IN CONNECTION WITH APPLICATION NO. ZM75.2 WHICH PROPOSES TO RECLASSIFY THE SAME PROPERTIES AND NEARBY OUTER SUNSET PROPERTIES IN R-3 DISTRICTS TO AN R-2 DISTRICT.

Edward I. Murphy, Acting Director of Planning, distributed and read the following draft resolution which had been prepared for consideration by the Commission:

"WHEREAS, Application No. ZM75.2 has been filed and will be set for hearing before the City Planning Commission on September 4, 1975; and

"WHEREAS, Said application proposed that certain Outer Sunset properties be reclassified from an R-3 (Low-Medium Density Multiple Residential) district or an R-4 (High Density Multiple Residential) district to an R-2 (Two-Family Residential) district; and

"WHEREAS, The City Planning Commission would have a better opportunity to match the zoning to the requirements of the neighborhood and the existing development if it could consider R-3.5 (High Medium Density Multiple Residential) districts and R-3 districts as replacement for the R-4 district in addition to the R-2 district already proposed.

"THEREFORE BE IT RESOLVED, That the City Planning Commission intends to study the desirability of reclassifying to an R-3 or an R-3.5 district those properties in R-4 districts on or near Lincoln Way, Judah Street, La Playa and Great Highway which have already been proposed for reclassification to an R-2 district by application No. ZM75.2; and

"BE IT FURTHER RESOLVED, That the public hearing on this matter shall be held concurrently with the hearing on application No. ZM75.2"

After discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Rueda that the draft resolution be adopted.

Tim Eichenberg, representing the Sunset-Parkside Education and Action Committee (SPEAK), felt that it was apparent that the Commission intended to reclassify R-4 properties in the Outer Sunset to R-3 or R-3.5 whereas individuals who had filled the original application had felt strongly that all the properties involved should be reclassified to R-2; and he objected to adoption of the draft resolution which would make it possible for the Commission to approve R-3 or R-3.5 zoning.

President Newman pointed out that the original application would enable the Commission to reclassify properties in the area to R-2 if it so desires; but the staff of the Department of City Planning felt that the option of R-3 or R-3.5 zoning should also be available to the Commission. If the Commission, after consideration of the matter, were to decide that R-3 or R-3.5 zoning would be appropriate for certain properties presently zoned R-4, he wondered if Mr. Eichenberg would prefer that those properties be retained in an R-4 District. Mr. Eichenberg replied that it would make almost no difference since R-3 or R-3.5 zoning would do little more than R-4 zoning to prevent the demolition of single-family homes for construction of new apartment buildings.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7354.

R75.28 - ENCROACHMENT PERMIT FOR 56 TRANSIT SHELTERS AT 53 LOCATIONS THROUGHOUT THE CITY.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is for 56 waiting shelters at 53 transit stops, with three of the locations having two shelters. This is Phase I of the Municipal Railway shelter installation program. Phase II is to involve custom design of approximately 45 shelters at other locations.

"The shelters are of four general types, to be constructed of modular vertical panels, approximately two feetiin width, made of transparent unbreakable Lexan plastic or safety glass, and with a translucent bubble roof. Models "A" and "C" would have a cantilevered roof, with only one vertical panel on each side, and lengths of 9.4 and 13.7 feet, respectively. Models "B" and "D" would have double panels for a width of 5 feet on each side, and lengths of 9.4 and 13.7 feet, respectively. The height of the shelters would be 8.5 feet.

"Forty-seven shelters would have benches, and all would have information display systems to provide transit routes and schedules. The shelters would be anchored to the sidewalk or pavement with anchor bolts, and in some locations reconstruction of the sidewalk would be required. Fifty-three shelters would be located on sidewalks, and three would be on additions to sidewalks extending up to five feet into Golden Gate Park.

"The proposed locations of the transit shelters were developed by Muni using carefully considered criteria. These included (1) the number of transit boardings at each stop, (2) the degree of exposure of the location, (3) frequency of service, with greater need for shelter assumed for longer waits, and (4) balanced distribution throughout the city. Within each intersection

chosen, shelter placement has been based upon such factors as sidewalk width and distance from doorways, utility boxes and utility poles.

"Three existing transit shelters, of comparable types, may be seen at the intersections of Van Ness Avenue and Union Street, Geary Boulevard and St. Joseph Avenue (Kaiser Hospital), and Geneva Avenue and Mission Street. A fourth, at Third and Palou Streets, was destroyed in an automobile accident, and would be replaced under this program.

"The Transportation Element of the Master Plan, in Policy 5 of the Mass Transit Plan, 'Clarify transit routing and establish 'transit centers' ', calls for establishment of 'transit centers' at places of significance to transit. It further calls for clearly identifiable stops, with route information. The Urban Design Elements, in its Fundamental Principles for City Pattern, states, 'The importance of transfer points can be expressed by the amount and type of landscaping, provision of shelters for waiting passengers, and nighttime lighting.' Policies for City Pattern No.9, 'Increase the clarity of routes for travelers', calls for improvements in the vicinity of transit stops, including waiting shelters and better signs at stops to explain routes, types and frequency of service, and transfer points. The Master Plan, therefore, favors installation of shelters such as those now proposed."

During the course of his presentation, Mr. Bash referred to a map on the wall of the meeting room which showed the location of the proposed shelters. He also distributed photographs of the type of facilities being proposed.

Commissioner Porter observed that the proposed transit shelters might add to sidewalk congestion at locations where a large number of people wait to board buses. Mr. Bash replied that that possibility had been taken into consideration; and no shelters were being proposed for locations where large numbers of people customarily wait for buses unless those locations have unusually wide sidewalks.

Commissioner Ritchie remarked that very elaborate transit shelters had already been erected on Market Street. Although the ones presently under consideration would obviously be less costly, he expected that each of the shelters would cost at least 5000 dollars to install; and, in view of the recent assessment increases and the continuing rise of taxes, he questioned whether the proposed shelters would be an appropriate luxury to be acquired at this point in time.

Mr. Bash stated that he did not have any information relative to the cost of the structures.

President Newman remarked that it is the policy of the City to encourage people to use mass transit systems instead of private automobiles; and, by providing amenities such as the proposed transit shelters, the Municipal Railway will become more attractive and will attract more users.

Commissioner Fleishhacker stated that he would like to know the cost of the structures even though that information might not be pertinent to the issue before the Commission. Noting that three or four transit shelters of comparable types have already been in use in the city, he asked if the Municipal Railway had found any deficiencies in those structures. Mr. Bash replied that the Municipal Railway had not indicated that it had found any problems.

Commissioner Fleishhacker observed that the people who use the Municipal Railway are tax payers; and he felt that the principal question to be considered was whether they would be happy with the structures which are being proposed.

Commissioner Porter asked if Federal money would be used for installation of the Transit Shelters. Mr. Bash replied that he believed that Federal money would be available for the program.

President Newman asked if additional transit shelters would be installed in the future. Mr. Bash replied that additional shelters may be installed if funds are available.

Commissioner Porter stated that she did not feel that the type of shelters which were being considered were particularly attractive. Commissioner Richie agreed, remarking that they would have the appearance of isolated telephone booths lined up in a row. He asked if plans for the structures had been reviewed by the Art Commission. Mr. Bash replied in the affirmative, indicating that the Art Commission had reviewed and approved the design.

Edward I. Murphy, Acting Director of Planning, recommended that the granting of encroachment permits for the installation of the shelters be approved as in comformity with the Master Plan.

Commissioner Rueda asked what the consequences would be if the Commission were to disapprove the proposal. Mr. Murphy replied that actions taken by the Commission on Master Plan referrals are purely advisory to the Board of Supervisors; and he indicated that the Board of Supervisors would take the Commission's action into consideration.

Commissioner Porter stated that she was of the opinion that the proposed shelters would be nothing more than an impediment.

Commissioner Fleishhacker, noting that other Departments had been involved in preparation of the proposal for installation of the shelters, asked if any one had considered whether the shelters would interfere with the pedestrian traffic. Mr. Bash replied in the affirmative, indicating that the Department of Public Works had given consideration to that matter.

Commissioner Fleishhacker then remarked that the Department of Public Works has employees who are experts at analyzing matters of pedestrian congestion and if they were not concerned about the impact of the shelters on pedestrian traffic-flow, he felt that the Commission should not be unduly concerned about that issue.

Commissioner Porter remarked that the money which would be spent for the proposed shelters might be better used to purchase additional buses for the Municipal Railway.

President Newman stated that he personally, felt that the proposed structures would be attractive, and convenient for transit users; and, insofar as they would be well lighted, they would prevent muggings. Furthermore, these shelters had been designed so that they could be easily kept clean.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Rueda that the granting of the encroachment permits for the installation of the shelters be approved as in comformity with the Master Plan.

Commissioner Ritchie stated that he intended to vote against the motion. While it might be true that the cost of the structures is not relevent to the matter before the Commission, he, personally, could not vote to approve the proposal without having any idea of the costs involved.

Commissioner Porter stated that she questioned the desirability of the transit shelters; however, since the project had been proposed by another City department, she intended to vote for the motion.

When the question was called, the Commission voted 4 to 1 to authorize the Director to report that the granting of encroachment permits for the installation of 56 transit shelters in 53 locations is in comformity with the Master Plan.

Later in the meeting, Mr. Murphy informed the Commission that a low bid of $131,000 had been received for installation of the 56 transit shelters; thus resulting in an average cost of $2,340 for each shelter. Federal funds will be available for 2/3 of the cost of the installation program; and the City's 1/3 cost would amount to $780 per shelter. Commissioner Fleishhacker, Newman, Porter and Rueda voted "Aye"; Commissioner Ritchie voted "No".

R75.30 - PROPOSED VACATION OF 82.50 FEET OF THE SOUTHEASTERLY PORTION OF BUTTE PLACE, SOUTHEAST OF BRANNAN STREET.

Alec Bash, City Planning Coodinator, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the Director of Public Works has forwarded for Master Plan review a proposal to vacate 82.50 feet of the southeasterly portion of Butte Place, southeasterly of Brannan Street, within Assesor's Block 3784. Construction of a warehouse is proposed, which

would cover Lots 45, 47A, portions of Lots 83 and 27, and 82.50 feet of the most southeasterly portion of Butte Place.

"Butte Place is a narrow alley, sixteen feet wide. It has no curbs or sidewalks. It is in poor repair and has been chained off for many years. The Division of Surveys and Mapping of the Department of Public Works has classified Butte Place as not being constructed to City standards and, therefore, unacceptable for maintenance.

"The proposed street vacation would not violate Policy Nine of the Urban Design Element of the Master Plan which states: 'Review proposals for the giving up of street areas in terms of all the public values that streets afford.' Butte Place is not designed nor used for the purpose of vehicular or pedestrian circulation. The proposed vacation would not interfere with the rights of access to any other lots and properties in the vicinity; specifically, to the Arrow Delivery Company property which abuts the southeasterly end of Butte Place. Arrow Delivery Company has stated, in writing, that it would agree to the street vacation. None of the other criteria established by Policy Nine would be violated.

"The proposed warehouse would be used for the storage of pipe and pipe fittings to protect them from the weather. The vacation of that part of Butte Place under consideration would meet the requirements for modern industrial operations as cited among the positive reasons for a street vacation in Policy Nine. A release of the street area by a method short of vacation (closing, temporary use, revocable permit, air rights or leasing), as suggested by Policy Ten of the Urban Design Element, would not be appropriate in the present case."

Edward I. Murphy, Acting Director of Planning, recommended that the vacation of the subject portion of Butte Place be approved as in comformity with the Master Plan.

No one was present in the audience to be heard on this matter.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the vacation of 82.50 feet of the southeasterly portion of Butte Place for the construction of a warehouse is in comformity with the Master Plan.

EE73.231 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CONSTRUCTION OF AN 18 UNIT APARTMENT BUILDING AT 4050 17TH STREET. (THE HEARING WAS CONCLUDED ON JULY 10, 1975, AND THE MATTER WAS CONTINUED TO THIS STATE FOR CERTIFICATION OF THE REPORT).

Paul Rosetter, Planner II, summarized changes and additions to the Environmental Impact Report and responded to questions raised by members of the Commission. Members of the audience requested that the public hearing on the Environmental Impact Report be reopened. After discussion, it was moved by Commissioner Ritchie that the hearing be reopened; but the motion failed for want of a second.

Edward I. Murphy, Acting Director of Planning, recommended the adoption of a draft resolution which had been prepared with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission do hereby find that the Final Environmental Impact Report, dated July 31, 1975 concerning 18 unit apartment building at 4050 - 17th Street is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker and carried 4 to 1 that the draft resolution be adopted as City Planning Commission Resolution No. 7355. Commissioners Fleishhacker, Newman, Porter and Rueda voted "Aye"; Commissioner Ritchie voted "No".

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CONSIDERATION OF REQUESTS FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION FOR AN 18 UNIT APARTMENT BUILDING PROPOSED FOR CONSTRUCTION AT 4050 17TH STREET.
(THE COMMISSION VOTED TO DENY THIS REQUEST ON JULY 10, 1975.)

President Newman noted that the Commission had considered this matter during its meeting on July 10 and had voted to deny the request for Discretionary Review. Subsequently, the staff noted that the Environmental Impact Report for the project, had not yet been certified when that action was taken; and, therefore, the action taken by the

Commission was null and void. The staff recommended that it would be proper to schedule consideration of the request for Discretionary Review following certification of the Environmental Impact Report, an action which had just been taken by the Commission.

Commissioner Fleishhacker asked if the developer was present in the audience and received a negative response.

Commissioner Porter stated that she had previously voted for the Discretionary Review, not for the purpose of preventing construction of the project but for the purpose of obtaining a better development; and she still felt that the Discretionary Review should be conducted.

Judith Hoyem, 4040 17th Street, noted that several letters had been written to the Commission by residents of the neighborhood requesting that the Discretionary Review be held because of parking and traffic problems in the neighborhood, because of the number of transients already living in the area, and because the size, bulk, and number of units in the proposed building would not be harmonious with the existing character of development in the area. In reply to a question raised by Commissioner Fleishhacker, Ms. Hoyem stated that she lives in a Victorian Building which was designed as two flats but which is used as a single-family residences.

Commissioner Rueda asked Ms. Hoyem if she was opposed to any new construction on the subject property. Ms. Hoyem replied that she would prefer to have the existing building renovated if renovation is feasible. If not, she felt that any new building which is to be constructed should be smaller than the one which had been proposed, that it should have no parking in the rear yard area, and that a side setback should be provided on the east side of the lot so that the amenities of the adjacent house would not be disturbed.

Jude Laspa, representing the Eureka Valley Promotion Association, stated that the subject neighborhood is already "overbuilt"; and the area has serious traffic and parking problems which will be aggravated when the new Muni Metro construction is completed at 17th and Market Streets. While the applicant had emphasized that the City Planning Code would have permitted the construction of 44 dwelling units on the subject site, he doubted that construction of that number of units on the site would be feasible. Furthermore, if the proposed building were to be redesigned to conform to the interim residential zoning controls and with no automobile parking in the rear yard area, the size of the building would be significantly reduced. He felt that construction of the building as proposed would make the neighborhood's existing problems worse; and he urged that a Discretionary Review be conducted.

Commissioner Fleishhacker stated that it did not seem to him that it would make much difference whether a building with nine units or a building with 18 units were to be constructed on the subject site. Mr. Laspa replied that he was not concerned solely with the building which was presently under consideration but with the possibility that a "domino effect" would result if the building were constructed as proposed; and development of ten 18-unit buildings on the block would have a significant detrimental impact. He felt that the economics of alternate developments had not been properly investigated by the applicant; and, in any case, the applicant's apparent economic problems were largely of his own making since he had hired a consultant who had taken from February, 1974 until May, 1975, to prepare an Environmental Impact Report which was acceptable to the staff of the Department of City Planning. He believed that it would be economically feasible for the applicant to rehabilitate the existing structure as a four unit building; but, in any event, he felt that it should be possible for the applicant to design a building which would be more compatible with other buildings in the neighborhood and with the building immediately to the east, especially.

Sue Hestor, President of the Eureka Valley Promotion Association, felt that the section of the Environmental Impact Report dealing with alternative projects and mitigating measures was totally inadequate; and she urged that a Discretionary Review be held so that mitigating measures could be considered.

Commissioner Rueda noted that Ms. Hestor had appeared before the Commission on a number of occasions to protect the construction of new apartment buildings; and he asked her if there is any place in San Francisco where she felt that the construction of apartment buildings would be appropriate. Ms. Hestor replied in the affirmative, stating that she felt that new apartment building should be constructed in the eastern part of the City where many lots are not presently developed. However, she felt that it was inappropriate for existing single-family residences to be torn down for construction of new apartment buildings indensely developed neighborhoods. In conclusion, she pointed out that the building occupying the subject site and the adjacent building to the east had been designed and constructed as a pair; and, if the new apartment building were to be constructed as proposed, windows in the neighboring house would be blocked.

Commissioner Rueda asked Ms. Hestor what actions he would want the Commission to take if a Discretionary Review were to be conducted. Ms. Hestor replied that she felt the proposed building should be redesigned so that it would conform with the interim residential zoning controls, so that there would be no parking in the rear yard area, and with a set back along the easterly property line. Furthermore, she was of the opinion that the Department of City Planning should encourage the owner of the property to give serious consideration to rehabilitation of the existing building.

Michael O'Hanlon, 219 States Street, represented the Buena Vista Neighborhood Association and summarized a letter which had been written by Dale Champion, President of that organization. In the letter, Mr. Champion expressed the opinion that the Environmental Impact Report which had been prepared for the proposed project was inadequate; and he requested that a Discretionary Review be conducted so that the Commission could work with concerned neighborhood organizaitons in an effort to achieve changes in the plans which would result in a building which would be a credit to the neighborhood and the City.

Mrs. Ann Pueh-Canine, owner of properties at 4093 and 4099 17th Street, stated that she had submitted a letter requesting that the Discretionary Review be held.

Commissioner Fleishhacker stated that had voted against the Discretionary Review when the matter was considered on July 10. However, what residents of the neighborhood hoped to achieve through the Discretionary Review process was now somewhat clearer; and, as a result, he moved that the Discretionary Review be scheduled. The motion was seconded by Commissioner Porter.

Commissioner Fleishhacker then asked when Discretionary Review of plans for the project had first been requested. After Mr. Rosetter had replied that the initial request had been made in a letter dated March 11, 1974, Commissioner Fleishhacker observed that more than a year would have been saved if residents of the neighborhood had pursued a Discretionary Review approach instead of demanding that an Environmental Impact Report be prepared.

Commissioner Porter stated that she agreed with Commissioner Fleishhacker;and she remarked that the Commission might have been much more effective in achieving a more suitable project if the year had not been lost.

Edward I. Murphy, Acting Director of Planning, stated that he had intended to recommend that the Discretionary Review be scheduled.

Robert Passmore, Planner V (Zoning), stated that the Discretionary Review could be scheduled for August 21; however, the staff might need a longer period of time to explore with the developer the feasibility of the various alternate projects sited in the Environmental Impact Report.

Commissioners Fleishhacker and Porter modified their motion and seconded to specify that the Discretionary Review would be held on August 21 or at a later date if additional time is needed by the staff for preparation of their recommendation.

Commissioner Porter asked what would happen if the developer refuses to agree to make any changes in his plans. Mr. Passmore replied that the Commission could then approve the application as filed, approve the application subject to specific conditions, or disapprove the application. Any action taken by the Commission could be appealed to the Board of Permit Appeals.

Commissioner Rueda stated that he intended to vote against the motion. He remarked that an Environmental Impact Report is merely an informational document; and he felt that neighborhood groups would find that their interest would be best served if they would learn to petition for Discretionary Review initially rather than to demand the preparation of an Environmental Impact Report when a project is proposed which they do not like.

When the question was called, the Commission voted 4 to 1 to schedule a Discretionary Review of the building permit application for the proposed project on August 21, or on a later date to be recommended by the staff. Commissioner Fleishhacker, Newman, Porter, and Ritchie vote "Aye"; Commissioner Rueda voted "No".

DISCUSSION OF COMMERCIAL & INDUSTRIAL STUDY BACKGROUND PAPER-COMMERCIAL TRENDS.

Gregory Oliver, Senior Economic Analyst of the Economic Anaylsis Unit, Office of the Mayor, summarized the report and responded to questions which were raised by members of the Commission.

The Meeting was adjoined at 4:40 p.m.

Respectfully submitted,

Lynn E. Pio,
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, August 7, 1975.

The City Planning Commission met pursuant to notice on Thursday, August 7, 1975, at 1:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Wayne Rieke, Planner IV (Zoning); Lucian Blazej, Planner IV; Robert Meyers, City Planning Co-ordinator; Alan Billingsley, Planner II; Robert Feldman, Planner II; Ralph Gigliello, Planner II; Paul Rosetter, Planner II; Russell Watson, Planner II; Debbie Kogan, City Planning Intern; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; Harry Johansen represented the San Francisco Examiner; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meeting of July 17, 1975, be approved as submitted.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, advised the Commission that next Thursday's meeting is scheduled to start at 1:00 p.m.

Mr. Murphy reminded members of the City-wide Comprehensive Plans Committee (Commissioners Newman, Mellon & Ritchie) of a meeting scheduled next Thursday, August 14, at 12:00 Noon.

Mr. Murphy reported that members of the staff of the Department of City Planning and the Department of Public Works would be meeting that evening with residents of the South Bayshore area to discuss the design of the proposed expansion of the Southeast Sewage Treatment Plant. He indicated that the Board of Supervisors' resolution which had established the policy to locate the expanded sewage treatment plant adjacent to the existing Southeast Sewage Treatment Plant contained a condition that stipulated that the neighboring community should have an opportunity to offer input into the design of recreation and park-type facilities to be located on 8 acres of the expanded site; and he indicated that the neighborhood meeting had been scheduled in accordance with that condition.

Mr. Murphy announced that the Board of Permit Appeals, meeting next Monday, will consider the Zoning Administrator's request for a rehearing of the Board's approval of a variance cancelling the November, 1975, termination date for removal of certain freeway billboards.

PROGRESS REPORT ON PARKING MANAGEMENT STUDY.

Charna Staten, Consultant to the Department of City Planning, advised the Commission that the Environmental Protection Agency had suspended its parking management regulations indefinitely. Nevertheless, San Francisco is proceeding to prepare the Parking Management Plan which would have been required by those regulations. She then distributed and summarized the following background memoranda which had been produced for the Parking Management Study: 1.) Review of Controls on Parking in Major U.S. Cities 2.) Parking Lots as Interim Uses in the Downtown Area 3.) Report on San Francisco On-street Parking Inventory 4.) Report on San Francisco Downtown Off-street Parking Inventory 5.) Inventory of Parking Provided by Institutions in San Francisco. At the conclusion of her presentation, she responded to questions raised by members of the Commission.

R75.21 - REVOCABLE ENCROACHMENT PERMIT TO OCCUPY FOUNTAIN STREET SOUTH OF 25TH STREET FOR A PLAYGOUND AND LANDSCAPING.

Ralph Gigliello, Planner II, reported on this matter as follows:

"Burger and Coplans propose to occupy Fountain Street south of 25th Street for a playground and landscaping, in conjunction with the construction of a 20-unit residential condominium development on adjacent property. The subject portion of Fountain Street slopes steeply uphill from 25th Street to a dead-end at mid-block, and presently is unimproved. The street area is 60 feet wide and 90 feet long.

"The neighborhood of the proposed project is zoned R-2 and is developed with a mix of single-family houses and medium-density apartment buildings, with the former predominating. The proposed condominium would have two units in each of ten separate buildings. Friends of Noe Valley, a neighborhood association for this area, has indicated a need for neighborhood playgrounds; the association supports the proposed development.

"The proposed adjacent condominium development has required a variance from City Planning Code requirements regarding lot area, lot coverage, and rear yards; this variance has been granted by the Zoning Administrator. One condition of the variance is that the developer seek the necessary revocable encroachment permit for the described Fountain Street improvements.

"This portion of Fountain Street is not required for vehicular circulation. The Transportation Element of the Master Plan states policies in furtherance of Objective 3 of the Thoroughfares Plan, 'Provide safe

and pleasant space for pedestrians.' Policy 2 under that objective calls for retention of streets not required for traffic, in order to provide for pedestrian circulation and open space use.

"The Urban Design Element of the Master Plan, in Conservation Policy No. 9, states criteria for reviewing proposals for the giving up of public rights in street areas through revocable permit. The proposed development would not violate any of the 12 listed criteria. That policy states, further, that a proposal for release of a street area may be considered favorably when it would be 'in furtherance of the public values and purposes of streets as expressed in The Urban Design Plan and elsewhere in the Master Plan.'

"The Urban Design Element further states, in its Fundamental Principles for Neighborhood Environment, that areas of poor environmental quality, such as the presently unimproved site, 'can often be improved by the addition of benches, trees, shrubs, and textured paving', and cites a 'vest pocket' park in a dead-end service court as an example. Policy 11 in this part of the Urban Design Element calls for development of playgrounds, sitting areas, viewpoints and landscaping in streets not developed for traffic because of their steepness. Policy 2 of the Neighborhoods portion of the Recreation and Open Space Element contains a similar statement. The proposal would be in conformity with these policies and considerations."

Mr. Gigliello stated that a letter had been received from the Director of Property recommending that the request for the Revocable Encroachment Permit be denied because the proposed use would interfere with access rights to three lots which could be entered only from the subject portion of Fountain Street. However, Fountain Street is too steep for automobile access to those properties; and the proposed development could be designed in such a way that a stairway could be constructed to the land-locked lots in the future.

Edward I, Murphy, Acting Director of Planning, recommended that the proposed Revocable Encroachment Permit be approved as in conformity with the Master Plan providing that the improvements generally conform to the site plan which had been submitted, that an underground irrigation system be installed, that the improvements be maintained by the Home Owners Association of the fronting housing development, and that public access directly from 25th Street to lots fronting on Fountain Street be guaranteed. He also recommended that those conditions be included in the covenants, conditions and restrictions of the condominium report and that a performance bond to insure that the improvements described in the permit will be installed and maintained should be posted with the Director of Public Works.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

Sam Peachey, the applicant, advised the Commission that the land-locked lots are owned by individuals who also own adjacent parcels of property which have access to Clipper Street; and he anticipated that those properties would be developed in such a way that access to 25th Street would not be required. In any event, his own development could be designed so that an easement for access to the lots from 25th Street by way of Fountain Street could be provided in the future, if necessary.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the proposed Revocable Encroachment Permit to occupy Fountain Street south of 25th Street for a playground and landscaping is in conformity with the Master Plan, provided that the improvements generally conform to the site plan prepared by Berger & Coplans and dated September 6, 1974, that an underground irrigation system be installed, that these improvements be maintained by the Home Owners Association of the fronting housing development, that public access directly from 25th Street be guaranteed, that these conditions be included in the covenants, conditions and restrictions to the condominium report, and that a performance bond to insure that the improvements described in the permit will be installed and maintained be posted with the Director of Public Works.

R75.38 - REVOCABLE ENCROACHMENT PERMIT FOR PEDESTRIAN BRIDGE OVER SPRING STREET, BETWEEN CALIFORNIA AND SACRAMENTO STREETS NEAR KEARNY STREET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the Department of Public Works has referred for review as to conformity with the Master Plan a proposed revocable permit for a pedestrian bridge over Spring Street.

"The two-story pedestrian bridge would connect at the 7th and 8th, and 8th and 9th, stories of two buildings occupied by a single firm. The present five-story building at 550 Kearny Street would have an additional five stories constructed in conjunction with the bridge. The bridge would have a width of 8 feet and a length of 26 feet. Spring Street is 26 feet wide and one block long, between California and Sacramento Streets.

"The Urban Design Element of the Master Plan, in Conservation Policy Nine, states that giving up of public rights in street areas must be judged on the basis of a specified list of criteria. In the list of criteria disfavoring release of a street area, the only criterion which could be relevant to this proposal is No. 4, concerning obstruction or diminishing of a significant view, or elimination of a view point. In this case, the street is only one block long and does not recur in the city block pattern farther to the north or south. The view along Spring Street is presently closed one and one-half blocks to the

north by the 26-story Holiday Inn Hotel, and one-half block to the south by the 52-story Bank of America building. However, as much of the pedestrian bridge as possible should be clear glass in order to minimize any view obstruction.

"In the list of criteria indicating favorable conditions for release of a street area, No. 4 allows for 'permitting a small-scale pedestrian crossing consistent with the principles and policies of The Urban Design Plan'. The proposed bridge would have minimal visual impact, would produce no obstruction to normal alleyway activities, and would have only very slight shadowing effect. Accordingly, the proposal would be consistent with the Urban Design Element.

"The Transportation Element of the Master Plan suggests that Spring Street be restricted to pedestrian, transit and service or delivery access. The proposal would not interfere with this use.

"Since the City's air rights over Spring Street have a significant financial value, it would seem desirable for the City to negotiate with the applicant on the question of a charge for use of those rights."

Edward I. Murphy, Acting Director of Planning, recommended that the granting of a Revocable Encroachment Permit or lease of air-rights for the pedestrian bridge be approved as in conformity with the Master Plan provided that the exterior walls of the pedestrian bridge be glazed with clear (untinted) glass. It was further recommended that the Director of Property be asked to investigate the possibility of a charge for use of those air rights.

No one was present in the audience to be heard on this matter.

After discussion it was moved by Commissioner Ritchie and seconded by Commissioner Porter that the granting of a Revocable Encroachment Permit or lease of air-rights be approved subject to the conditions which had been recommended by the Acting Director.

Commissioner Rueda stated that he could have supported a one-story pedestrian bridge; however, he felt that a two-story bridge would be too bulky and not really necessary.

When the question was called, the Commission voted 6 to 1 to authorize the Acting Director to report that the granting of a Revocable Encroachment Permit or lease of air-rights for pedestrian bridge over Spring Street is in conformity with the Master Plan, providing that the exterior walls of the pedestrian bridge be glazed with clear (untinted) glass. It was further recommended that the Acting Director be authorized to suggest that the Director of Property investigate the possibility of a charge for use of the air rights. Commissioners Finn, Fleishhacker, Mellon, Newman, Porter, and Ritchie voted "Aye"; Commissioner Rueda voted "No".

DR75.7 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 437809 FOR A 4-STORY, 6-UNIT APARTMENT BUILDING AT 2106 - 24TH STREET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to construct a 6-unit apartment building with inside parking, provision for a 30-foot rear yard, and a 15-foot front setback due to a large setback on an adjoining lot. On the sloping frontage, the structure would be 4 stories high at the western property line and 3 stories high at the eastern property line. The proposed building would block off windows of an adjoining house built on the side property line and would interfere with certain views of downtown from several residences across the street. In reviewing the plans, the staff of the Department of City Planning had determined that the impact of the proposed building could be mitigated if the following conditions were met:

1. The proposed building plans shall be modified to provide a design which conforms with the topography through a stepping down of the upper story along the 24th Street frontage, thereby creating a building height not exceeding approximately 36 feet along the western property line as measured from the curb.

2. Only one garage entrance shall be provided not to exceed 16 feet in width.

3. Landscaping shall be installed in conformity with a landscaping plan which shall include street trees and landscaping of the front setback area and rear yard and which shall be submitted to the Department of City Planning for approval before the building permit can be issued.

4. Provision shall be made in the design of the proposed building to allow continued access to light and air of as many as possible of the property line windows of the dwelling immediately to the east of the subject property.

Mark Soleby, 2104 - 24th Street, remarked that the modifications which had been recommended by the staff of the Department of City Planning would constitute an improvement over the original design; however, they would not overcome the basic objections to the proposed building which had been raised by residents of the neighborhood. The building would still be too bulky and would affect views and light and air presently enjoyed by other residences in the area. He emphasized that the adjacent house has windows on the property line; and he urged the Commission to take that fact into consideration. He remarked that the neighborhood issues paper which had been prepared for the Potrero Planning District by the Department of City Planning had stated that "the low and medium density nature of development and the scale and character of existing development are considered major attributes of Potrero Hill, as are its

views"; and he felt that the proposed building would not conform to the character of existing development in the area. He advised the Commission that houses on the opposite side of 24th Street have no garages; and, as a result, residents of those buildings park their cars perpendicularly on the steep hill. Under the circumstances, he felt that it would be very difficult for automobiles to get into and out of the garage in the proposed building.

Katheryn Mallam Edwards, 2104 - 24th Street, acknowledged that the compromise suggested by the staff of the Department of City Planning would be an improvement over the original plans. However, windows in her home would still be blocked by the proposed structure. She submitted photographs of the view which she presently enjoys from the windows which will be blocked; and she observed that it was obvious that the proposed building would have a very detrimental effect on her property.

Vicky Pollack, 1235 Rhode Island Street, remarked that the neighborhood is basically single-family in character at the present time; and construction of an apartment building on the subject property would be an intrusion. Furthermore, the proposed building would block views from the building in which she resides.

John Bierce, 2144 - 24th Street, stated that he objected to the proposed building for the reasons which had already been cited by other speakers. In addition, while houses in the neighborhood have been fairly well maintained, he felt that the introduction of an apartment building might result in rapid deterioration of the area.

Harold Williams, a resident of Rhode Island Street, stated that the proposed building would deprive his property of sunlight.

President Newman called for a show of hands of individuals present in the audience in opposition to the proposed building. Six individuals responded.

Mr. Steele recommended that the building permit application be approved subject to the conditions which he had previously recited.

Commissioner Porter asked if the rear yard of the proposed project would conform with the interim residential zoning controls. Alan Billingsley, Planner II, replied in the affirmative, indicating that the code permits reduction of the rear yard from 45 feet to 30 feet because of the 15-foot front setback.

Commissioner Ritchie remarked that the proposed building, even with the modifications which had been recommended by the staff of the Department of City Planning, would be unattractive; and the building would have bedrooms facing on light courts. Furthermore, he agreed with residents of the neighborhood that the building would be out of scale and out of character with other buildings in the area. The modifications which had been suggested by the staff would not really accomplish very much; and the building, if constructed, would be an unattractive addition to the neighborhood. Therefore, he intended to vote for denial of the permit application.

Commissioner Rueda moved that the permit application be approved subject to the conditions which had been recommended by Mr. Steele. While it might be desirable if the subject property could continue to remain vacant, he pointed out that the Commission must respect a property owner's right to develop his property. The motion was seconded by Commissioner Fleishhacker.

Commissioner Ritchie stated that he was not proposing that the property should remain vacant; however, he felt that it would be possible for the owner to design a more attractive multiple-unit building for the site.

Commissioner Porter asked if the applicant had agreed to the conditions which had been recommended by Mr. Steele. Mr. Steele replied in the affirmative.

Commissioner Porter asked if provision of a larger rear yard on the subject site would benefit the adjacent property owner. Mr. Steele replied in the negative and indicated that a number of units in the proposed building would have to be reduced if a larger rear yard were to be provided.

President Newman asked if the plans which had been submitted by the applicant were in conformance with the City Planning Code in all respects. Mr. Steele replied in the affirmative.

Commissioner Porter asked if the Code would have permitted construction of a higher or bulkier building than the one proposed. Mr. Steele replied that the Code would have permitted construction of a higher building.

Commissioner Ritchie stated that he recognized that the proposed building would conform with the provisions of the City Planning Code. Nevertheless, when a permit application is brought before the Commission for Discretionary Review, he felt that consideration should be given to the design of the proposed building; and, in his opinion, the plans for the building presently under consideration had not been sufficiently modified to asure that an attractive building would be constructed on the site.

Commissioner Rueda felt that the Commission would be exceeding its authority if it were to disapprove the building permit application solely because of the appearance of the proposed building.

When the question was called, the Commission voted 6 to 1 to adopt Resolution No. 7356 and to approve the building permit application subject to the conditions which had been recommended by Mr. Steele. Commissioners Finn, Fleishhacker, Mellon, Newman, Porter, and Rueda voted "Aye"; Commissioner Ritchie voted "No".

ZM75.13 - PACIFIC AVENUE, NORTH LINE, BETWEEN BAKER AND BRODERICK STREETS. R-4 TO AN R-1-D DISTRICT.

Larry Jacobson, representing the Board of Education, stated that a letter had been sent to his agency giving notice of the proposal for rezoning of the subject property; but the letter had not reached his office. Under the circum-

stances, he had not had sufficient time to review the matter. He also pointed out that a new Superintendent of Schools is being sworn in next Monday. Therefore, he requested that the Commission postpone action on the request for rezoning for at least one month.

Members of the Commission expressed surprise that the Board of Education had not been aware that the request for rezoning of the property had been filed.

President Newman, noting that a number of individuals were present in the audience who were interested in this matter, indicated that the Commission would proceed with the hearing as scheduled and that it would consider Mr. Jacobson's request for postponement at the conclusion of the hearing.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties which are located on the north side of Pacific Avenue between Baker and Broderick Streets. He stated that three of the lots, which are presently vacant, were previously occupied by the Grant School. The lot at the corner of Pacific Avenue and Broderick Street is occupied by a six-unit dwelling. Three attached one-family dwellings and a rooming house occupy the remaining four lots. The applicants had requested that the properties be rezoned from R-4 to R-1-D.

William S. Clark, President of the Cow Hollow Improvement Association, stated that he and the president of the Pacific Heights Association had filed the subject application. He indicated that he had discussed the proposal with other neighborhood organizations and with property owners in the immediate area; and he indicated that all of the owners of property on both the north side and the south side of Pacific Avenue in the subject block were in favor of the proposal for reclassification. He stated that he had also discussed the matter with Mrs. Abrahamson, the President of the Board of Education; and she had indicated that she personally favored the proposal.

Mr. Clark submitted a photograph of a recently constructed apartment building at Fillmore and Vallejo Streets and indicated that the purpose of the subject application was to prevent the construction of such a building on the Grant School site. Construction of such a building on the Grant School site would be an "insult" to the neighborhood; and it would bring increased traffic congestion and parking problems. He pointed out that most of the development in the area is R-1-D in character; and the subject properties are surrounded on three sides by R-1-D zoning. Therefore, it had seemed that R-1-D zoning would be appropriate for the subject properties. However, he acknowledged that not many people would be able to afford the type of homes which can be built in an R-1-D district; and, as a result, he indicated that R-1 zoning would be acceptable.

John Walker, representing the Pacific Heights Association, spoke in opposition to Mr. Jacobson's request that the Commission postpone action on the subject application. While R-1-D zoning might affect the value of the Board

of Education's property, he felt that the Board would still be able to get a fair price for the property even if it were zoned R-1-D. He stated that either R-1 or R-1-D zoning would be acceptable, but R-1-D zoning would be preferable. In conclusion, he stated that the purpose of the proposed rezoning was to assure that any development of the Grant School site would be sympathetic to the existing character of the neighborhood.

Commissioner Ritchie, noting that Mr. Walker had indicated that either R-1 or R-1-D zoning would be acceptable, asked about his reaction to the possibility of R-2 zoning for the property. Mr. Walker replied that he, personally, felt that R-2 zoning would be acceptable; however, he did not know whether the members of his association would agree.

Commissioner Porter, noting that Mr. Walker is an architect, asked if he felt that development of the Grant School site as a Planned Unit Development under R-1 or R-1-D zoning would be economically feasible. Mr. Walker replied that such development would be architecturally feasible, however, not being a developer, he could not comment on the economic feasibility of such a project. He further remarked that land prices can affect the design of buildings; and, if the Grant School property were sold with R-4 zoning, he felt that it was quite possible that an unsympathetic development would result.

Ralph Coffman, a member of the Pacific Heights Association, read and submitted the following letter:

> "The Board of Directors of Pacific Heights Association strongly supports the application for down-zoning for the Grant School site which will be before you on Thursday, August 7, 1975.
>
> "The down-zoning as requested is consistent with surrounding properties and with the maintenance of the beauty of one of San Francisco's outstanding residential areas.
>
> "Thank you for your consideration of our position."

Peter Fay, representing the Pacific Heights Improvement Association, advised the Commission that the membership of his organization consists of owners of R-1 and R-1-D properties; and he indicated that many of the members of his organization belong to other neighborhood organizations, also. He stated that the members of his organization believed that the character and integrity of their neighborhood is being threatened by outside groups who, wittingly or unwittingly, are violating zoning laws. He remarked that the subject property is surrounded by R-1-D zoning; and he felt that the R-4 zoning of the property had always been inappropriate. While he would prefer to have the property rezoned to R-1-D, R-1 zoning would be acceptable. However, the members of his organization would be opposed to any zoning density higher than R-1 for the subject properties.

Mrs. Anne Bloomfield, President of the Pacific Heights Neighborhood Council, submitted the following letter in support of the request for rezoning:

"Pacific Heights Neighborhood Council, as well as the other neighborhood associations in the area, supports the proposal for the rezoning of Pacific Avenue, north side, between Baker and Broderick Street, from a R-4 to a R-1-D zone classification. The present R-4 zoning is not appropriate for the area involved, representing a single block of R-4 surrounded on three sides by a R-1-D zoning classification. The removal of the Grant School and the resulting substantial area of land now unimproved provides an excellent opportunity for the correction of this condition and for the improvement of the neighborhood.

"It would indeed be unfortunate to have high density multiple residential zoning of a R-4 or R-3 type penetrating this R-1-D zoned area. The development of high density residential projects on this site, with the realities of today's construction costs, would almost inevitably result in an architecturally undesirable development unsuited to the character of the area as well as the creation of additional congestion, parking and traffic problems which would have an undesirable impact on the immediate area as well as on the surrounding R-1-D neighborhood.

"We urge your approval of this reclassification application."

Commissioner Porter asked Mrs. Bloomfield if the members of her organization would be satisfied with R-2 zoning for the subject properties. Mrs. Bloomfield replied that she did not feel that the members of her organization would be opposed to such zoning; however, their basic position was to support other neighborhood organizations which have a more immediate interest in the issue.

Mr. Jacobson stated that the Board of Education had taken no action regarding future use of the Grant School site. However, the Board's staff had given some consideration to various alternative uses of the site including a school, open space, recreational space, and a horticultural center. Thus far, however, no recommendation had been made for declaring the property surplus to the school department's needs. While the Board of Education has never been involved in land speculation, all revenues from properties which have been sold as surplus to the needs of the department are placed in a land purchase account; and, in view of the fact that the School District has dramatic property needs, the amount of revenue which would be received from sale of the Grant School site would be a matter of concern to the school district. As a case in point, he stated that the Board of Education is anxious to acquire two sites on Broadway; but the sale of the Grant School property would not provide sufficient revenue for purchase of those properties regardless of its zoning. While the Commission had discussed the possibility of R-1-D, R-1, and R-2 zoning for the site, he felt that R-3 and R-3.5 zoning should also be considered; and he repeated his request that action on the matter be postponed so that his staff could prepare a recommendation for review by the new Superintendent of Schools.

Commissioner Porter remarked that the Commission's decision on the matter would ultimately be based on what is best for the subject neighborhood rather than on the economic needs of the Board of Education; however, she felt that the Board of Education should be given an opportunity to comment on the matter before action is taken by the Commission.

Commissioner Finn remarked that the Board of Education had been known to speculate in property on at least one occasion. A number of years ago the Board claimed a parcel of property at Funston Avenue and Lincoln Way which had been declared surplus by the Municipal Railway, indicating that it needed to construct a school on that site. However, the school was never erected; and the property was eventually sold for a handsome profit. The property is now developed with a supermarket and an apartment building.

Mr. Clark stated that the San Francisco Examiner had recently reported that the Board of Education had directed its staff to prepare plans for the sale or lease of the Grant School site. Furthermore, he believed that one or more of the members of the Board of Education had received notice of the Commission's hearing because they live in the subject neighborhood. He also stated that Mrs. Abrahamson, President of the Board of Education, had told him that no one from the Board of Education would be present to oppose the proposed rezoning.

President Newman asked if he were correct in assuming that any development of the site would have to conform to R-1-D zoning until such time as action is taken by the Commission on the subject application. Mr. Steele replied in the affirmative.

Mr. Fay felt that members of the Commission should give greater consideration to the overall good of the city than to the financial situation of the Board of Education. In any event, the Board of Education would profit from the sale of the subject property and from the fact that it would no longer have to maintain the site; and, once the property is sold, the Board of Education would benefit from the taxes which it will provide to the City.

Mr. Steele recommended that the subject application be approved to reclassify the subject area to R-1-D for the following reasons:

1. Most of the subject area is vacant or developed with one-family detached dwellings, and the subject reclassification would encourage compatible new construction.

2. The subject property abuts on the east, north and west with an R-1-D district developed predominately with one-family detached dwellings.

3. Substantial neighborhood support for a less dense zoning classification has been indicated to the Commission.

4. The existing R-4 zoning district would encourage excessive development of the subject property, thereby threatening the present character of the neighborhood by encouraging the development of a large bulky building out of scale with nearby development and creating undesirable higher levels of physical activity not in character with the neighborhood.

After further discussion, it was moved by Commissioner Rueda and seconded by Commissioner Finn that action on this matter be postponed until the Commission's regular meeting on October 2.

Commissioner Porter stated that she would vote for the postponement; and she suggested that it would be desirable to discuss the alternate types of development which might occur on the site under various zoning classification during the meeting of October 2.

Commissioner Ritchie stated that he was not in favor of a postponement. He remarked that the Board of Education is legally able to use the subject property for school purposes regardless of its zoning; and, if the property is to be sold for private development, he felt that it is the responsibility of the Commission to determine what the character of that development shall be.

Commissioner Fleishhacker indicated that he would abstain from voting on the motion since he is a member of one of the organizations which had requested the rezoning.

Commissioner Porter suggested that the neighborhood organizations which were interested in the rezoning should meet prior to October 2 to decide which zoning classification would be most appropriate for the subject property. Commissioners Rueda and Finn agreed, remarking that R-1-D zoning might make any development of the site economically infeasible.

When the question was called, the Commission voted 5 to 1 to take this matter under advisement until the meeting of October 2, 1975. Commissioners Finn, Mellon, Newman, Porter, and Rueda voted "Aye"; Commissioner Ritchie voted "No". Commissioner Fleishhacker abstained from voting.

CU75.31 - 467 FAIR OAKS STREET, WEST LINE, 59 FEET NORTH OF 26TH STREET. REQUEST FOR AUTHORIZATION FOR A RESIDENTIAL CARE FACILITY FOR 12 AGED PERSONS; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a frontage of 76 feet on Fair Oaks Street and a depth ranging from 125 feet to 99 feet 11 inches for an approximate area of 8,850 square feet. The building occupying the site was used until 1974 as a convalescent hospital for eight non-ambulatory patients. The present applicant was requesting authorization to operate a residential care facility for 12 aged persons. In conclusion, Mr. Steele stated that a negative declaration had been issued on June 13, 1975, and was in effect.

Oscar Grepo, husband of the applicant, stated that the subject building had been inspected by a State licensing agent who had indicated that the building could be remodeled so that it would accommodate 12 patients rather than eight patients as in the past; and it was hoped that authorization for the proposed use would be granted by the Commission.

Luisa E. Ezquerro, Chairperson of the Fair Oaks Neighbors, read and submitted the following letter:

"Yesterday we were made aware of the application by Mrs. Amelia Grepo for variance of use at 276 Fair Oaks Street, as a residential care facility.

"We are residents who formed a block club, The Fair Oaks Neighbors (Los Vecinos de Fair Oaks), and activities on Fair Oaks are of interest to us, in order that we maintain and upgrade our area. We want to keep and maintain Fair Oaks Street, and encourage and preserve the variety of people that we are: seniors, children, youth, couples, singles and different ethnic backgrounds.

"I personally went to the site and talked today with Mr. Victor Grepo, the son of the applicant. I looked around outside and inside. It is in my estimation, well maintained, attractive, sunny and spacious, with plenty of patio/garden area, and indoor recreation room. The bedrooms are good-sized, double occupancy, colorfully decorated. The kitchen, washroom and bathroom facilities seemed adequate.

"In effect, it looks like a pleasant place for persons to convalese, with the emphasis on home, rather than hospital atmosphere. (The only problem I saw were the number of stairs, since there are two levels for entrance, but the lower level was only some six-eight stairs and it looked like one could go around the side to enter the premises.)

"While it seems the former convalescent home didn't meet standards for patient care at that same site, there can be no such indications against the new owner, Mrs. Grepo at this time. We welcome her to the neighborhood and we will maintain contact with her, since we are interested not only in the maintenance of the property, but in the quality services for those persons who will be our neighbors while living there."

Mr. Steele recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mrs. Grepo replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7357 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU75.33 - 228 COLLINS STREET, SOUTHEAST CORNER OF GEARY BOULEVARD. REQUEST FOR AUTHORIZATION FOR A 2-STALL SELF-SERVICE AUTOMOBILE WASH; IN A C-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 40-foot frontage on Geary Boulevard and a 125-foot frontage on Collins Street for a total area of 5000 square feet. The property is presently used for used automobile sales and a small automobile repair and engine-cleaning shop. The applicant proposed to construct a neighborhood-oriented, 2-stall, self-service, automobile wash with four stalls for vacuuming and detailing. Appropriate landscaping, including street trees, were also proposed. In conclusion, Mr. Steele stated that a negative declaration had been issued for the project on July 18, 1975, and was in effect.

David Suckle, the applicant, stated that the proposed facility would be the fifth self-service automobile wash to be located in San Francisco and the second to be installed adjacent to a residential district. He felt that the landscaping and screening which had been proposed by his architect and the staff of the Department of City Planning would be adequate. He indicated that he was present to answer any questions which might be raised by members of the Commission.

Commissioner Porter asked for an estimate of the number of automobiles which would use the facility each day. Mr. Suckle replied that he expected that the facility would be used by eight or ten automobiles an hour, or approximately eighty vehicles a day.

Commissioner Rueda inquired about the size of the motor which would power the vacuums. Mr. Suckle replied that a two-horsepower motor would be used.

President Newman inquired about the level of noise which might be expected to result on the site. Mr. Suckle replied that the noise generated by such facilities is usually less than the level of noise on adjacent streets.

Mr. Steele advised the Commission that the proposed facility would be required to conform with the City's Noise Ordinance which allows for a maximum of 70 DBA along the street frontages and the property line adjoining the adjacent commercial uses, and a maximum of 50 DBA along the property line adjoining the adjacent residential district.

President Newman asked the applicant if he could conform to the requirements of the City's Noise Ordinance. Mr. Suckle replied in the affirmative.

Commissioner Finn expressed concern that automobiles entering and leaving the site might interfere with Municipal Railway buses, particularly in view of the fact that Geary Boulevard begins to narrow in front of the subject property as it approaches the newly constructed under pass. Mr. Suckle replied that access to the site would be on Collins Street and not on Geary Boulevard.

Mr. Steele stated that the proposal had been reviewed by the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); and no objection to the proposal had been raised by members of that group.

No one else was present in the audience to be heard in support of or in opposition to the subject application.

Mr. Steele recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Rueda asked if the proposed facility would be opened on a 24-hour basis. Mr. Steele replied in the affirmative, indicating that a restaurant on the opposite side of Collins Street is also open 24-hours a day.

President Newman asked if an attendant would regularly be present on the premises. Mr. Suckle replied in the negative but indicated that a maintenance person would visit the site three or four times a day.

President Newman then observed that it would probably be somewhat difficult to control the use of car radios on the site.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commisssion Resolution No. 7358 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU75.34 - 1201 ORTEGA STREET, SOUTH LINE, BETWEEN 19TH AND 20TH AVENUES. REQUEST FOR AUTHORIZATION FOR MODIFICATION OF APPROVED PARKING PLAN AND CONVERSION OF DWELLING AT 1437 - 19TH AVENUE TO OFFICE USE; IN R-1 AND R-3 DISTRICTS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that the applicant had submitted a revised parking plan which had resulted in deletion of the previous request for reduction of the number of parking spaces. However, the applicant was still requesting modification of the layout of the forty-five off-street parking space plan required by Commission action on November of 1974, to allow for parking in the rear of the dwelling at 1943 - 19th

Avenue. The applicant was also requesting authorization to use the dwelling as faculty and administrative offices without any significant interior or exterior alterations. In the event the dwelling is no longer needed for office use, it will be returned to residential use.

Paul Resnik, Business Manager of the San Francisco Conservatory of Music, stated that a meeting had been held with residents of the subject neighborhood on Tuesday evening to discuss the revisions in the plans. He assured the Commission that adequate landscaping would be installed; and he indicated that the single-family dwelling at 1943 - 19th Avenue would be used exclusively for offices and not for the practicing of musical instruments.

No one else was present to speak in favor of the application.

William P. Smith, a resident of the neighborhood, stated that he wished to be assured that adequate retaining walls and fencing be installed by the Conservatory of Music to protect adjacent properties.

No one else was present to be heard on this matter.

Mr. Steele recommended that the application be approved subject to three specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Resnik replied in the affirmative.

Commissioner Mellon asked if the conditions which had been recommended by the staff would cover the concerns expressed by Mr. Smith. Mr. Steele replied that bulkheading had been indicated in the original plans; and the applicant would be required to construct the project in conformance with those plans.

After further discussion it was moved by Commissioner Mellon and seconded by Commissioner Ritchie that the application be approved subject to the conditions which had been recommended by Mr. Steele.

Commissioner Rueda stated that he would vote in support of the motion. However, he felt that the Commission should be concerned about further future expansion of the Conservatory onto properties which are developed with residences.

President Newman asked Mr. Resnik if the Conservatory has plans for additional expansion in the future. Mr. Resnik replied that the Conservatory has no plans to purchase additional residential properties; however, the Conservatory does contemplate construction of a two-story garage on residential properties which it already owns.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7359 and to approve the application subject to the conditions which had been recommended by Mr. Steele.

At 3:50 p.m. President Newman announced a 5 minute recess. The Commission reconvened at 3:55 p.m. and proceeded with hearing of the remainder of the agenda.

CU75.35 - BROTHERHOOD WAY, SOUTH LINE, 2575 FEET EAST OF LAKE MERCED BOULEVARD AND 895 FEET WEST OF THOMAS MORE WAY. REQUEST FOR AUTHORIZATION FOR CONSTRUCTION OF A TWO-STORY BUILDING TO ACCOMMODATE OFFICES AND CLASSROOMS FOR THE CALIFORNIA SCHOOL OF PROFESSIONAL PSYCHOLOGY; IN AN R-1-D DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a frontage of 125.49 feet and an average depth of 370 feet for a total area of 46,250 square feet. He stated that the property is presently vacant. The applicant proposed to construct a two-story, 15,000 square foot building to accommodate the San Francisco campus and central offices of the California School of Professional Psychology, an institution of higher learning . Related parking would be provided; and landscaping would be installed. He indicated that a negative declaration had been issued for the project on July 18, 1975, and had not been appealed.

William Stout, Vice President of the Naiman Company, developer for the applicant, stated that he, the applicant's architect, and the President of the California School of Professional Psychology were present to answer any questions which might be raised by members of the Commission.

Commissioner Finn remarked that the subject property had originally been owned by the San Francisco Water Department; and, when it had been sold, he believed that restrictive covenants were assigned limiting the use of the property to religious and fraternal organizations.

Wayne Rieke, Planner IV (Zoning), stated that the City Planning Commission had approved an application to establish a building setback line along Brotherhood Way (Stanley Drive) in 1957. At that time, five specific conditions were established; however, none of those conditions had specified that use of the property should be limited to religious or fraternal purposes.

Commissioner Finn stated that the restriction to which he had referred had been written on the deed, and he suggested that the staff of the Department of City Planning should research the matter in the Recorders Office.

Commissioner Porter recalled that she had been advised that the Spring Valley Water Company, in selling the property to the city at an earlier date, had established a condition that the lots were to be developed for single-family housing if the property were to be sold at a later date by the City. Under the circumstances, it was obvious that such conditions can be changed with the passage of time.

Mr. Rieke stated that he had a copy of the deed by which the subject property was transferred from the City to the Church of Christ, and he indicated that the only conditions which that deed contained were the same as those which were to be found in the Commission's 1957 Resolution.

Commissioner Finn asked if the subject property had already been purchased by the California School of Professional Psychology. Mr. Rieke replied that the school has a contract to purchase the property.

Commissioner Fleishhacker observed that a title search should reveal whether any restrictions apply to the property.

No one else was present in the audience to be heard on this matter.

Mr. Steele recommended that the application be approved subject to three specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Stout replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried 6-1 that the draft resolution be adopted as City Planning Commission Resolution No. 7360 and that the application be approved subject to the conditions which had been recommended by Mr. Steele. Commissioners Fleishhacker, Mellon, Newman, Porter, Ritchie, and Rueda voted "Aye", Commissioner Finn voted "No". Commissioner Finn indicated that his "No" vote was made because he felt that the proposed use would conflict with a policy previously established by the Public Utilities Commission to the effect that the property should be developed with religious or fraternal uses only.

Commissioner Rueda stated that he personally regretted that private development would be taking place along Brotherhood Way; however, if the property is not needed for religious or fraternal use, he felt that the Commission could not expect that the property would remain vacant.

ZM75.14 - 1290 EGBERT AVENUE, SOUTH SIDE OF INGALLS STREET AND SOUTHWEST SIDE OF DONNER STREET.
R-1 TO AN M-1 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 300-foot frontage on Egbert Avenue and a 100-foot frontage on Ingalls

Street for a total area of 30,000 square feet. The subject property, formerly the site of an elementary school, is presently vacant. It is zoned R-1; and the Unified School District had requested that it be reclassified to M-1 so that it could be developed with a 57,000 square foot facility comprising educational and office space as well as warehousing and centralized nutrition complex. While the Commission could proceed with the hearing as scheduled, it could not take action on the application during the present meeting because a negative declaration had not been issued for the project. Therefore, he recommended that the matter be taken under advisement until the meeting of October 2, 1975.

Mr. Bratley, a resident of the neighborhood, stated that she would prefer to have the lot remain as it presently is since children use it as a play area. She remarked that the neighborhood is already surrounded by warehouses; and she felt that construction of additional warehouses would create a hazardous situation. If anything, she felt that the property should be used for a recreational center and not for the preparation of food.

Mr. Elwell, also a resident of the neighborhood, stated that the proposed facility would not add anything to the neighborhood; and, given the fact that empty warehouse space is available in other areas, he felt that the school district should find another site for its facility.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that this matter be taken under advisement until the Commission's meeting of October 2, 1975.

DR75.5 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 445324 FOR CONSTRUCTION OF A 2-STORY CLASSROOM BUILDING ON WHITTIER STREET, 115 FEET SOUTHEAST OF MISSION STREET.

Paul Rosetter, Planner II, referred to land use and zoning maps to describe the subject property which is a rectangular lot with a frontage of 25 feet on Whittier Street and a depth of 178 feet for a total area of 2,700 square feet. The applicant, the San Francisco Christian School, proposed to construct a building 2-stories in height, containing seven classrooms and an administration office. The building would have a 25-foot rear yard and a 42-foot front setback. The proposal would allow an increase in the school's student body of about 45 students (36%). No proposal had been made to provide off-street parking or on-site recreational open space. 49 letters had been received in opposition to the project; and 42 letters had been received in support of the proposal. The letter requesting the discretionary review had stated that the proposal would increase traffic congestion and noise and decrease customer patronage of local stores. In addition, by not providing adequate open space, the project would restrict the usage of Alice Chalmers Playground, increase its maintenance and cause personal conflicts on the playground. In addition to the correspondence which had been received, a petition had been submitted with 222 names in support of the project.

Mr. Rosetter noted that the Commission had adopted Resolution No. 7283 on January 31, 1975, directing the Department of City Planning staff to review, during the remaining period of the Residential Zoning Study, all building permit applications filed for construction of new churches and non-profit elementary and secondary schools in residential zoning districts, as well as permit applications for major expansion of such uses. The resolution noted that the Commission and staff had received numerous expressions of concern from the general public that uses of that type built in the past have had detrimental effects on nearby residential properties, primarily because of parking congestion and excessive building bulk; and the Commission indicated that it wished to review, under its discretionary powers, any applications for such uses which, in the opinion of the staff of the Department of City Planning, would result in detrimental effects on the surrounding residential neighborhoods.

Mr. Rosetter stated that members of the staff of the Department of City Planning had met with the applicants on July 18 to discuss the proposed project. At that time, the staff had inquired about the possibility of using an adjacent corner lot, which is presently occupied by an abandoned gasoline service station, for construction of the new classroom facility. However, the school had indicated that the property will not be available for the current project; and, if it is acquired in the future, it will be used to provide off-street parking spaces for the Calvary Baptist Church. The staff had also suggested that the Whittier Street frontage of the subject block be used only for fire egress; but the school had indicated that it would not favor such a restriction.

Lester H. McLeod, Principal of the San Francisco Christian School, displayed and described a site plan of the proposed church-school complex, explaining the inter-relationship between the buildings and the route used by students of the school when they walk to Alice Chalmers Playground for exercise. He stated that permission had been obtained to use the Alice Chalmers Playground for the coming year; and, in accepting that permission, the school had agreed to pick up any litter which might be dropped on the playground and to supervise the students when they are at the playground. While consideration had been given to the possibility of using both the subject lot and the corner lot for expansion of the school, he advised the Commission that it was now the intention of the school not to expand beyond the limits presently proposed. He displayed a chart which he had prepared showing the amount of yard area per student which is available at various parochial schools in San Francisco; and, by way of comparison, he indicated that the yard area per student available at the San Francisco Christian School rates midway between the minimum of seven square feet per student and the maximum of 30 square feet per student. He stated that the school would make greater use of the church facilities in the future; and, with construction of the new classroom building, he estimated that the school could accommodate a maximum of 168 students.

Mrs. Silva stated that she lives approximately 3 blocks away from the subject property. She remarked that the Alice Chalmers Playground is never crowded; and she emphasized that other private schools in San Francisco have obtained permission to have public streets blocked so that they can be used for recreational purposes. She stated that she was in favor of the San Francisco Christian School's expansion proposal.

Mrs. England, a resident of the neighborhood, stated that no violence had taken place in the San Francisco Christian School; and she felt that the school has an excellent influence on its students.

Mrs. Follato, parent of a child attending the San Francisco Christian School, stated that she values the training given by the school enough to pay to send her child there even though she also pays taxes for public schools.

Maureen Grant stated that her children have attended the school. She indicated that the school only has one bus which makes only one delivery to the school and one pick-up from the school each day. Furthermore, she remarked that most of the parents who send their children to the school cannot afford to buy automobiles for their children. Therefore, she did not understand how the school could cause any traffic problems in the area. In conclusion, she stated that she did not feel that the school is in a position to afford to buy additional property.

James Siggs, Pastor of Calvary Baptist Church, stated that the San Francisco Christian School enjoys a good relationship with his church as well as with another church on Dolores Street. He remarked that he lives adjacent to the church and school; and he indicated that he could not imagine a better environment in which to live. He believed that the new building which was being proposed would be a benefit to the community; and it would enable the school to prosper.

Elmer Curtis informed the Commission that a petition had been circulated which had been signed by 647 individuals in support of the school. He stated that 534 of the individuals are San Francisco residents.

President Newman asked how many of the individuals who had signed the petition live within six blocks of the subject property. Mr. Curtis replied that he could not answer that question. A women in the audience indicated that at least 70 of the individuals who had signed the petition live within an 8 block radius of the subject site.

Another member of the audience stated that he sends his children to the San Francisco Christian School because it offers the type of education which he wants them to have. He was disturbed by the fact that residents of the neighborhood had objected to use of the Alice Chalmers Playground by students of the school because he pays taxes in San Francisco and felt that his children should have a right to use the playground. He indicated that he lives in the vicinity of the Visitacion Valley Playground; and he informed the Commission that a new gate is being cut through the fence of that playground so that an adjacent school will have direct access to that facility. In the case of the San Francisco Christian School, direct access could be provided to the Alice Chalmers Playground across property owned by the Longfellow School; and he felt that it would be a wise idea to provide such access. Given the fact that many parochial schools in San Francisco use local streets for their recreational

activities, he could not understand how any objection could be raised to use of the Alice Chalmers Playground by students from the San Francisco Christian School. He emphasized that the school will continue to exist regardless of whether the new building is constructed; and, since the purpose of a new building would be to provide better accommodations for the present students of the school without significantly increasing the enrollment of the school, he could not understand the objections which were being raised to the subject application.

Bruce Johnson, architect for the applicant, stated that he was proud of the plans which he had prepared for the new classroom building; and he indicated that he had made an effort to respect the residential character of the neighborhood. He agreed with the previous speaker that it would be desirable if the San Francisco Christian School could use a portion of the Longfellow School Playground for direct access to the Alice Chalmers Playground and as a fire exit.

Commissioner Rueda asked how much of the classroom building would abut the adjacent residential building to the south. Mr. Johnson referred to a map which was posted on the wall to indicate that the classroom building would cover almost all of the wall of the adjacent house.

President Newman, noting that the maximum number of students which could be accommodated by the school after completion of a new classroom building was uncertain, asked Mr. McLeod to clarify that point. Mr. McLeod replied that 144 students can be accommodated in the school's present facilities. After the new classroom building is constructed, 24 additional students can be accommodated for a total of 168 students.

A resident of the neighborhood stated that children from the Longfellow School had damaged his property on numerous occasions; and he indicated that he was opposed to expansion of the San Francisco Christian School.

Leonardo Bacci, attorney for the owner of property at the southeast corner of Morse and Whittier, noted that the Commission, during its meeting on June 19, had suggested that the San Francisco Christian School should make an effort to purchase his client's property. While that sale had not yet been negotiated, he indicated his client had offered very favorable terms; and he was confident that the deadlock could be resolved.

Gus Mazanaris, a resident of the neighborhood, stated that he and his friends like to play at the Alice Chalmers Playground. However, students from the San Francisco Christian School wear cleats while playing football and turn the playground's grass into mud. Furthermore, students from the school monopolize other facilities at the playground, leaving residents of the neighborhood with no alternative other than to play in the streets. Since the playground is a public park, he felt that residents of the neighborhood should have access to the playground's facilities without being told that students from the school have more right to use the facilities than they have.

Commissioner Porter, noting that students from the Longfellow School use the Alice Chalmers Playground, also, asked how residents of the neighborhood could differentiate between students of the two schools. Mr. Mazanaris replied that Longfellow School is an elementary school, and its students play on the swings and the monkey bars. San Francisco Christian School is a high school, and its students play football and basketball.

Larry Moll, President of the Alice Chalmers Block Club, made the following statements.

"On June 19, 1975 we came before you with what we felt were honest reasons for an environmental impact study. We were confident that this would have clarified, without prejudice to those involved, the reasons why this residential area should not be used for a Junior - Senior High School. At this time, we wish to present factual, concrete evidence regarding this issue. We do not wish to discredit the reputation or credibility of the school or it's students. The issue here is clearly whether or not a school should be permitted. We intend to show clear cut evidence in the next 20 minutes, by four speakers, that the building of the school will be detrimental to the neighborhood. We know there is more suitable land available far more conducive to the purposes of a Private High School.

"For so long the Outer Mission has been neglected and mis-used. The years have taken its toll on the entire neighborhood. We welcome progressive construction in this area. But the construction of this high school is not progressive nor reasonably fair to this community.

"In the past, the board of education for the San Francisco Public School System constructed complexes of schools in close proximity to each other. For example - Balboa High School - James Denman Jr. High School and the San Miguel Elementary School are all built within a two block radius of one another. At present, San Miguel is completely abandoned. Inspite of the fact, that it would have cost the city the least amount of money to earthquake proof, in comparison to other elementary schools. Samuel Gompers Vocational School and Horace Mann Jr. High School were another complex. Samuel Gomper is also abandoned today. Their facilities have been transferred four blocks away to John O'Connell Technical School. There are other such complexes and it is interesting to note that all complex schools were only in the Greater Mission Area.

"The adverse effects of such construction were painfully recognized by the board of education, but only after neighborhoods had suffered the consequences. Much too late to repair the damage done, the board of education chose to no longer design such complexes. Newer schools such as, Eugene McAteer High School and Visitacion Valley Jr. High School, were built in locations widely separated from one another. Past experiences of such construction has deterred the public school system from building schools in such closely confined areas.

"Schools built in close proximity have only proven to be environmental distructive: PROPERTY VALUES change - RENTALS increase - TRAFFIC is intensified and PARKING becomes scarce. VANDALISM and CRIME go hand and hand with CONGESTION.

"If this high school is built, it will be one more complex in the Greater Mission Area. For next door, is Longfellow Elementary School, which educates over 550 students yearly. At present, Longfellow's grade level is Kindergarden through 3rd.

"In order to properly supervise playground activity, the facility separates age groups into three divided levels of playground space. If the board of education recognizes the need for the separation of the 5 year old from the 8 year old; Can you not correlate the need for separation between the 8 year old and 18 year old.

"We do not wish to deny the right of any child to an education. But ask the Commission - Is the usage of restricted space, on a narrow residential lot - with no other area available for vitally needed outdoor recreational grounds - or space for extended future expansion - In the best interest of the students."

Vicki Moll, Secretary of the Longfellow School Parent Teachers Association read the following statement:

"We are very much aware of the need for good educational institutions in San Francisco. Since busing many parents have chosen to send their children to private schools. There is an unlimited variety to choose from, a total of 131 secondary and elementary schools, of which 26 are in the greater Mission Area. All of these private schools - in various degrees - have supplied their own recreational space.

"There are two we feel merit recognition for their efforts Epifany School at Naples and Italy has its own play area even though Crocker Amazon Park is just one block away. Most Holy Redemeer, located at 417 Diamond Street is another school that has made such effort. With Eureka Valley playground adjoining its school and with Douglas S.F. Elementary School across the street, it has still supplied its own recreational space.

"These schools could have very easily requested usage of the neighborhood's parks, and not supplied recreational space. San Francisco Christian High School has not made any effort to supply recreational space, but is intent on the continued use of Alice Chalmers Playground.

"We feel that this daily usage of the playground for their private lunching and recreation greatly infringes on the rights of the tax payers in this community.

"Since there is such community concern about usage of the playground, we feel a proper perspective must be attained. We cannot allow emotions to blind us to the facts.

"Because of an extremely tight budget the funds allotted to Alice Chalmers Playground only affords minimal maintenance. In an area where senior citizens, ethnic recreational groups, and tiny tots programs all compete in their ever growing needs, monies to finance these growing needs become scarcer and scarcer.

"The neighborhood has taken action with the increasing problems of usage. They have submitted petitions to the Park and Recreational Department with over 400 signatures requesting repair of park facilities. These repairs have been made. The inside of the club house has been painted for the first time in 25 years. Our senior citizens now have a railing to aid their entry to their Thursday gatherings.

"However, the Park and Recreational Department has many commitments in their extended facilities throughout San Francisco. They have not been aware of the tremendous amount of conflict in the usage of a limited land space in our area. The increasing demands of residents are proliferating. Split session students from Balboa and Riordan High Schools are the norm in this area.

" 'Permits are not granted at times when children and youth are out of school. This practice insures that facilities are available for public use.'

"Public school holidays differ from those in the private sector and there is a possibility that Longfellow Elementary School will be returning to a Kindergarden through 6th grade level. Busing is on a probational five year experimental plan, this area is already well integrated. With growing neighborhood commitments of the public facilities there is a strong possibility that future requests for park permits by the San Francisco Christian High School will be denied.

"This can only led to the blockage of Whittier Street for their recreational activities. Crescio and Cassandra Courts are two dead end private streets whose only entry and exit are off of Whittier St. This will deny to those, mostly retired residents, the right of passage to their homes at the critical hours of their day between 10 and 3 o'clock.

"Alice Chalmers Playground is the center of much of our neighborhood's involvements. From here this neighborhood unites in friendship and the children learn to live in harmony. It is neither an adult park or a children's park; It is a people's park - we wish it no other

way. We cannot have this vital facility dominated by any one organization, we cannot let our streets be mis-used, we cannot let our residents be abused, by a school where construction should not be permitted in the first place.

"We are not oblivious to the fact that money is an issue for the school, but we as tax payers and home owners have every right - even an obligation to protect the future of our neighborhood. The school uses Alice Chalmers Park for lunch and P.E. classes. Yet none of their facilities are offered to the neighborhood. This school is no more a united neighborhood school than this neighborhood is a middle class caucasion island in the Mission District."

Commissioner Porter noted that members of the Commission had taken a field trip to the subject property; and she indicated that she had seen no open space in the neighborhood which the San Francisco Christian School could purchase for use as a playground.

Katie Malgren, a resident of the neighborhood, addressed the Commission as follows:

"When the neighborhood first heard that the Christian High School planned to construct on Whittier Street, few people saw reason for alarm. A vacant dirt lot and an abandon gas station are not things a community can point to with pride. Change is very much welcomed to an area that has seen little improvement. Currently some change has been experienced in this neighborhood. Some progressive and creative - others designed for expediency, such as a car dismantler on Whittier Street, and a blood plasma center on Geneva Street. A united effort was taken by the area which forced the removal of both enterprises. On a progressive note the neighborhood has been increased by 40 new homes within a two block radius of the high school.

"As the community became more and more informed about the high school project they began to have reservations regarding the advisability of placing such a structure in this area. At the block club meetings, people expressed many concerns and it soon became clear that the high school would have much more devastating effects than any of us first recognized.

"In some respects we are fortunate that this has happened in our neighborhood. As it has enlightened many of us to the fact, that we must become informed with the issues, future expansion and daily happenings within our community.

"Not long from now there will be 51 more new homes developed on a 9 acre lot at the corner of Lowell and Brunswick Streets. At the same time one block away at the corner of Whittier and Hanover Streets another development of 25 more new homes are going in. This greatly

increases the population of our neighborhood by 600 or more additional residents requiring space. We welcome this additional development as improvements, but realize it will also use to capacity all public facilities, all available parking, all the amenities that our planning department has forseen so many years ago.

"In addition to these constructions there are major plans for the development of San Bruno Mountain. Just six blocks from the proposed high school site. Obviously the San Bruno project increases street load one thousand fold; as Whittier Street may be designated as a main artery to this new community.

"Whittier Street is now one of the direct fire routes to the homes on the Daly City Slope. Although narrower than Lowell Street, the drivers find it easier to maneuver their large engines on to Whittier Street because of the space created by the forking of Morse and Mission Street.

"Fire trucks must have access to fire boxes that are located on the corner of Whittier and Brunswick and on Whittier and Hanover Streets. Whittier Street is also used for access to fire boxes on Lowell and Morse, Lowell and Hanover and Lowell and Bellevue Streets. Since we are so close to the county line both San Francisco and Daly City fire departments respond to alarms in this area. Because San Bruno Mountain is open field the occurrence of grass fires is prevalent in the late summer and early fall months. Access must be kept open to these areas - as any blockage of Whittier Street would only delay fire equipment and could be dangerous to the residents."

Mrs. Jennie Smith, a resident of Brunswick Street, read the following statement:

"We live in a multi-cultural area. Many of our neighbors do not speak English. Most parents must hold down full time jobs to support their families. Many are concerned by the projected school development, but cannot afford to take off work to be here. Language barriers prevent many from the ability to write to you regarding this matter.

"A large percentage of our citizens are over 70 years old, they have witnessed many changes in the past few years. They tend to remember this area 50 years ago and find it hard to accept an unwanted change. They have simply chosen to give up. Some have written stating their feelings, many have not. Some have found it easier to move than to take a stand.

"Our concerns seem somewhat obscure when one observes the neighborhood during the tranquil summer months. The school yards are not filled with energic children or are the ringing of school bells heard throughout the day.

"School facility are not competing with Peninsula commuters who transfer to Bart and Jitney (for parking space). The streets are not busy with school buses coming and going 4 times a day. One can drive up Lowell and Morse Streets without dodging 50 or more double parked cars of mothers waiting for their children at school break.

"The sidewalks show no signs of students' cars and high school buses restricting paths of our little ones as they walk to school. Nor does one see our senior citizens struggling to maneuver their grocery carts around these unnecessary obstacles.

"There seems to be ample space at the playground as the parks activities are centered around field trips due to the bad weather patterns that affect our area during the months of July and August. Come September however, reservations had better be made for time and space at Alice Chalmers Playground as every moment from morning to dusk is occupied with activities - for young and old.

"The division of priorities is the key to this issue. Today we cannot make a solomen's decision, as all factors have to be presented.

"To be totally honest we cannot ignore the human reality that self interest is a basic trait of humanity. The honest realization of self interest is the basis of understanding that involves all groups and individuals. Clear identification of self interest is the beginning of TRUST.

"We are confident that you will not decide this issue on a 50/50 basis. The neighborhood's interests must be allowed to carry a heavier percent of your concerns. The interests of the school are not justifiable, considering the fact that only a few students live within 5 blocks of this school. The neighborhood concerns must take precedence.

"We have presented to you point by point what are the problems, needs and feelings of our area. Your decision will affect the lives of people now and in the future. We know you have made a concerted effort to fairly weigh the facts and issues."

Another resident of Brunswick Street stated that she had obtained signatures from most of the residents of her block in opposition to the subject application.

A resident of Oliver Street stated that she had obtained 15 letters in opposition to the project.

A representative of the Naples Street Block Club informed the Commission that her organization supported the Alice Chalmers Block Club in its opposition to the subject application.

President Newman asked for a show of hands of individuals present in the audience in support of the subject application. Approximately 70 individuals responded. He then called for a show of hands of those in opposition to the application; and approximately 60 individuals responded.

Chris Christenson informed members of the Commission that senior citizens who live in the neighborhood were opposed to the project. While the subject neighborhood is somewhat tranquil during the summer months, the tranquility is shattered by the number of students who already attend school in the area during the school season.

William Brewer stated that his daughter-in-law was in favor of the proposed school expansion; and she believed that the opponents to the project had used unfair tactics in obtaining signatures.

Mr. Steele remarked that some of the residents of the neighborhood were obviously concerned about the possibility that construction of the new classroom building would enable the school to increase its enrollment by 168 students for a total enrollment of 312 students; and he agreed that such an increase in enrollment could in fact have a severe impact on the neighborhood. Therefore, if the Commission were to approve the permit application for construction of the building, he felt that it should consider recommending that a limit be placed on the enrollment of the school. He noted that many private schools in San Francisco use public playgrounds for recreational activities; but such arrangements are reviewed annually by the Recreation and Park Department. At the suggestion of the City Planning Commission, the staff of the Department of City Planning had investigated the possibility of locating the proposed classroom building on the property located at the southeast corner of Morse and Whittier Streets; but the school had rejected that alternative. He advised the Commission that approximately 150 new houses are under construction in the subject neighborhood; and, when new construction on the north side of Mission Street is also taken into account, it is clear that a greater number of single-family homes are now being constructed in the area than in other parts in the city. Furthermore, he noted that a great deal is going on in the subject block which has a playground, an elementary school, a high school, and a well attended church which uses rooms in the adjacent public school for its Sunday school classes. Given those activities and the demands which they make on the street system, he felt that serious consideration should be given to the extent to which those activities should be allowed to expand; and he felt that further expansion of the high school might be highly detrimental to the adjacent residential neighborhood in which older homes are being taken over by younger people with families. Therefore, it was his recommendation that the Building Permit Application for expansion for the school be denied.

Commissioner Fleishhacker asked how it would be possible for the Commission to limit the enrollment of the school. After Mr. Steele had replied that the Commission could determine the enrollment of the school at any given point

in time by obtaining enrollment figures from the State of California, Commissioner Fleishhacker observed that the Commission would have no power to require that the new classroom building be torn down or that the school be closed if the enrollment of the school should exceed that recommended by the Commission.

Commissioner Porter, noting that Mr. Steele had remarked that the character of the subject neighborhood is changing as older homes are being reoccupied by families with children, asked where those children would go to school if new school facilities are not provided in the neighborhood. Mr. Steele replied that the Longfellow Elementary School should be able to accommodate more students from the subject neighborhood once it has reached its racial quota. However, he felt that the issue of where neighborhood children would play after school hours was more important than where they would go to school.

Commissioner Ritchie acknowledged that the subject block might not be the most appropriate location for the San Francisco Christian School. But he emphasized that the school is already in existence; and he did not feel that the expansion being proposed was large enough to be of any major significance in terms of its possible impact in the neighborhood. In any case, people choosing to live in an urban environment choose to live in a crowded environment; and sometimes they must sacrifice their own self-interest for the accommodation of other individuals or groups. He stated that he, personally, valued the education program of the San Francisco Christian School more highly than the concerns which had been expressed by residents of the neighborhood. While he felt that expansion onto the lot at the southeast corner of Morse and Whittier Streets would have been more appropriate than expansion onto the subject lot, he felt that even the expansion proposed would benefit the neighborhood. Therefore, he moved that the permit application be approved. The motion was seconded by Commissioner Mellon.

Commissioner Rueda stated that he intended to vote against the motion not because students of the school use the Alice Chalmers Playground for recreational purposes but because the school itself might become over-crowded and might have a detrimental impact on the neighborhood.

Commissioner Porter asked Mr. McLeod how many students he would anticipated that the school will have in five years. Mr. McLeod replied that enrollment at the subject location will not exceed 168 students although the school may eventually find a new location where an increased enrollment could be accommodated.

Commissioner Porter asked if Mr. McLeod would be willing to limit the enrollment at the school to a maximum of 155 students. Mr. McLeod replied that he personally would be willing to agree to that limit; however, before a binding agreement could be given, he would have to discuss the matter with his Board of Directors.

Commissioner Finn asked how many students could legally be accommodated in the school once the new classroom building has been constructed. Mr. McLeod replied that 302 students could legally be accommodated; however, such a large enrollment would not be satisfactory from an operational point of view.

Commissioner Mellon asked Mr. McLeod if he intended to continue operating the school at the subject site even if the proposed classroom building were to be disapproved. After Mr. McLeod had replied in the affirmative, Commissioner Mellon observed that the school presently has an enrollment of 144 students; and, if the enrollment after completion of the new classroom building were to be limited to 168 students, there would be an increase of only 24 students.

President Newman stated that he had mixed emotions regarding the subject application. While he appreciated the concerns which had been expressed by residents of the neighborhood, he was also keenly aware of the need for good education in San Francisco. Unless low-income families can obtain a good education for their children, they cannot be expected to continue to reside in the city. Yet, while he believed that the new classroom building would be desirable for the San Francisco Christian School, he would not want to approve construction of that building if it would eventually increase the enrollment of the school to more than 300 students; and, as a result, he felt that he could not vote for approval of building unless the school were willing to limit its enrollment to 168 students.

Commissioner Ritchie and Mellon amended their motion and seconded to provide that the Building Permit Application should be approved only if the school were willing to limit its enrollment to 168 students.

Commissioner Finn asked if it would be possible for the school to arrange its recreational activities so that it would not be using Alice Chalmers Playground during afternoon hours when other people might wish to use the playground facilities. Mr. McLeod replied in the negative but indicated that only one-half of the school's students use the playground since the school has its own gymnasium.

Commissioner Fleishhacker doubted that Mr. McLeod's Board of Directors would be able to honor the proposed 168 student limit on enrollment if the new classroom building were constructed as proposed. If the Commission wished to limit the number of students who would be present on the site, he felt that the best approach would be to limit the size of the facilities available so that no more than 168 students could legally be accommodated on the premises.

Commissioner Rueda asked the staff if there would be any other legal way to limit the enrollment of the school to 168 students. Mr. Steele replied that a binding agreement could be prepared between the City and the Board of Director's of the school to limit the enrollment of the school at its present location to 168 students. The agreement could be reviewed by the City Attorney and recorded in the Recorder's Office.

President Newman asked Mr. McLeod if he would be willing to sign such an agreement. Mr. McLeod replied in the affirmative.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7361 approving Building Permit Application No. 445324 subject to the provision that an agreement be entered into and recorded in the Recorder's Office by the San Francisco Christian School limiting the enrollment of the school to a maximum of 168 students in the block bounded by Morse Street, Lowell Street, Brunswick Street and Whittier Street, otherwise known as Assessor's Block 6474. The Commission also instructed the Zoning Administrator to withhold approval of the Building Permit Application until the agreement has been reviewed by the City Attorney and recorded in the Recorder's Office.

CONSIDERATION OF DRAFT RESOLUTION WHICH WOULD AUTHORIZE THE DIRECTOR OF PLANNING TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES IN CONNECTION WITH THE NEIGHBORHOOD CENTERS PROGRAM.

Edward I. Murphy, Acting Director of Planning, recommended the adoption of a draft resolution which read as follows:

"WHEREAS, The 1975 Community Development Program called for a study to inventory the existing needs for neighborhood centers in terms of priority locations, services and administration; and

"WHEREAS, The Department of City Planning solicited proposals from consultants to conduct this study; and

"WHEREAS, The ten proposals received were thoroughly reviewed and evaluated by Department staff; and five of the firms submitting proposals were interviewed; and

"WHEREAS, Based on these reviews, evaluations and interviews, the Department staff has recommended the hiring of Urban Management of San Francisco, Inc.; and

"THEREFORE BE IT RESOLVED, That the Director of Planning be authorized to contract the joint services of Urban Management Consultants of San Francisco, Inc. for the purpose of conducting the neighborhood centers study."

President Newman advised the Commission that Commissioner Rueda had received a letter from Herman E. Gallegos, President of Human Resources Corporation, which read as follows:

"It has come to my attention that one agenda item for today's Commission meeting is approval of the proposed contract to Urban Management Consultants.

"I hope the Commission will defer any such approval until such time as a thorough investigation is made of the Commission's procurement practices."

Commissioner Rueda explained that Mr. Gallegos was under the impression that the staff may have selected the fifth best applicant for the contract instead of one of the top four applicants; and he was concerned about the possibility that favoritism might have been involved.

George A. Williams, Assistant Director-Plans and Programs, explained that the staff had prepared a request for proposals which had been distributed to 20 consultant firms and advertised in the official advertising newspaper. Ten entities responded. While he was on vacation, two members of the staff had reviewed the submissions and had proposed that interviews be held with four of the applicants. The staff had some questions regarding a fifth application and had suggested that he review the application and discuss the matter with them before inviting representatives of that firm for an interview. Upon his return from vacation, interviews were held with the four firms which had been recommended by the staff. Later, after he had had an opportunity to review the fifth submission, an interview had been scheduled with the principals of that firm. Finally, it was decided that that firm, Urban Management Consultants of San Francisco, Incorporated, would be the strongest consultant team; and, as a result, the staff was requesting authorization from the Commission to enter into a contract with that firm.

Commissioner Rueda asked if Urban Management Consultants of San Francisco, Incorporated had responded to the Department of City Planning's initial request for proposals. Mr. Williams replied in the affirmative and indicated that that firm would have been interviewed at the same time as the four other firms if he had not been on vacation and if he had been able to review the submission at an earlier date.

Commissioner Finn asked if the staff of the Department of City Planning had prepared evaluation forms for each of the firms which had submitted proposals. Mr. Williams replied in the affirmative.

Commissioner Ritchie asked if any former employees of the Department of City Planning are employed by Urban Management Consultants of San Francisco, Incorporated. Mr. Williams replied in the negative.

Commissioner Rueda stated that he had raised the issue because he had received a written complaint. However, in the future, he felt that such complaints should be directed to the Director of Planning.

Commissioner Mellon agreed that the selection of consultants ought to be the responsibility of the Director of Planning and that the Commission ought not to become involved in the selection process.

After further discussion, it was moved by Commissioner Finn, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution

be adopted as City Planning Commission Resolution No. 7362 and that the Director of Planning be authorized to contract the joint services of Urban Management Consultants of San Francisco, Incorporated for the purpose of conducting the Neighborhood Centers Study.

The meeting was adjourned at 5:55 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, August 14, 1975.

The City Planning Commission met pursuant to notice on Thursday, August 14, 1975, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Lucian Blazej, Planner IV; Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Edward Michael, Planner III; Audrey Owen, Staff Assistant III-Community Development-Administrative; Alan Billingsley, Planner II; and Lynn E. Pio, Secretary.

Harry Johanson represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of July 3 and 24, 1975, be approved as submitted.

At this point in the proceedings, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Dean L. Macris, Director of Planning, distributed copies of a report entitled "Commercial and Industrial Activity in San Francisco: Present Characteristics and Future Trends" which had been prepared for the Department of City Planning by the consultant firm of Arthur D. Little. He indicated that a presentation will be made during the Commission's meeting on August 28, at which time the staff will summarize the report and respond to any questions which might be raised by members of the Commission.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director reported that the Board of Permit Appeals, meeting on Monday, had denied the Zoning Administrator's request for a rehearing of the Board's approval of a variance cancelling the November, 1975, termination date for removal of certain freeway billboards. As a result, the City Attorney has been requested by the Zoning Administrator to take appropriate legal action against the Board's decision.

The Director distributed and recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby endorse the Charter Amendment which will appear on the November 1975 ballot authorizing use of Park land immediately south of the San Francisco Zoo for the construction of water pollution control facilities in accordance with the Wastewater Master Plan;

"AND BE IT FURTHER RESOLVED, That such an endorsement may be used in the Voters Handbook of November 1975."

Commissioner Fleishhacker, noting that the draft resolution referred to the fact that the Commission had certified the completion of the Environmental Impact Report for the San Francisco Wastewater Master Plan, stated that he recalled that the Commission had also taken action to approve the basic concepts of the San Francisco Wastewater Master Plan; and he felt that the resolution should remark on the action, also. With that amendment, he moved that the draft resolution be adopted. The motion was seconded by Commissioner Mellon.

When the question was called, the Commission voted unanimously to adopt the amended draft resolution as City Planning Commission Resolution No. 7363.

The Director informed the Commission that the discretionary review of plans for the proposed apartment building at 4050 17th Street will be held on August 28, rather than on August 21 as originally proposed.

The Director announced that next week's meeting of the Neighborhood Plans Committee (Commissioners Rueda, Fleishhacker, Ritchie) will be cancelled.

The Director distributed copies of a newsprint edition of the preliminary proposal for the 1976 Community Development Program and Housing Assistance Plan which had been published by the Mayor's Office of Community Development. He indicated that public hearings will be held on the proposals on August 28 and September 3.

CONSIDERATION OF DRAFT RESOLUTION TO CORRECT TYPOGRAPHICAL ERRORS IN FINAL ENVIRONMENTAL IMPACT REPORT EE74.158 SOUTHEAST TREATMENT PLANT DRY WEATHER EXPANSION.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), distributed and recommended the adoption of a draft resolution which read as follows:

"WHEREAS, The Planning Commission did certify the Final Environmental Impact Report on the San Francisco Wastewater Plan Implementation Program II, Southeast Dry Weather Expansion and Interim Bay Discharge, EE74-158 to be adequate, accurate and objective on April 10, 1975, by Resolution No. 7315; and

"WHEREAS, By a clerical error, the site was not consistently described in this document; and

"WHEREAS, Changes need to be made to correct these inconsistencies; and

"WHEREAS, These inconsistencies were limited in nature and relate to environmental effects which were fully considered within the Final Report;

"THEREFORE BE IT RESOLVED, That the City Planning Commission does authorize the following-corrections in this Final Environmental Report;

"1. Page III-26, add all of Assessor's Block 5251 and a portion of Assessor's Block 5250;

"2. Page III-29, relocate line between Assessor's Blocks 5251 and 5244 to between Assessor's Blocks 5251 and 5262 and extend diagonal line passing through Assessor's Block 5232 southward to intersection of Rankin and Hudson Streets."

After discussion, it was moved by Commissioner Porter and seconded by Commissioner Fleishhacker that the draft resolution be adopted.

The Rev. James Martin, representing the Steering Committee of a group organized to oppose the expansion of the Southeast Sewage Treatment Plant, asked if additional property was being added to the site of the proposed Southeast Sewage Treatment Plant Expansion. Mr. Steele replied in the negative, indicating that the properties in question were a part of the proposal which had been discussed with residents of the neighborhood. However, while they were

identified as a part of the site in certain sections of the Environmental Impact Report, they had been omitted from the pages indicated in the draft resolution. Dean L. Macris, Director of Planning, and Robert Levy, City Engineer, explained the matter in greater detail for the benefit for Rev. Martin. Rev. Martin then stated that residents of the community wished to make it clear that the addition of any properties to the site of the proposed plant expansion ought to be discussed with residents of the neighborhood.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7364.

R75.18 - ACQUISITION OF PROPERTY FOR EXPANSION ON SOUTH EAST WATER POLLUTION CONTROL PLANT, ASSESSOR'S BLOCKS 5233, 5234, 5243, 5244, 5251, AND PORTIONS OF BLOCKS 5250, 5304, 5313.

President Newman made the following introductory comments:

"The matter before us today is the proposed acquisition of property for the expansion of the Southeast Water Pollution Control Plant. The Commission must review this proposal for conformity with the Master Plan, and evaluate it in terms of the objectives and policies of the Master Plan of San Francisco.

"The report as to conformity with the Master Plan is presented to the Board of Supervisors, before they adopt any ordinance or resolution dealing with this acquisition of property. It should be noted that the Board of Supervisors, on July 21, 1975, adopted a resolution establishing their policy that a primary/secondary sewage treatment plant for sewage emanating from the aforementioned districts be located adjacent to the present Southeast Sewage Treatment Plant and within the general limits of Evans Avenue on the north, Rankin Street on the west, Oakdale Avenue on the south and Phelps Street on the east."

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been transmitted by the Director of Property for review as to conformity with the Master Plan.

"The Board of Supervisors, by Resolution No. 85-75 on January 27, 1975, officially approved the 'San Francisco Wastewater Management Master Plan, Supplement I,' which included a provision for an expanded Southeast Water Pollution Control Plant. The plant was to provide secondary treatment for dry weather sewage emanating from the Southeast and North Point Sewage Districts, which serve the eastern portion of the city.

"The City Planning Commission, by Resolution No. 7315 on April 10, 1975, certified the completion of an Environmental Impact Report for the 'San Francisco Wastewater Master Plan - Implementation Program II - Southeast Dry Weather Expansion and Interim Bay Discharge,' which provided for construction of primary and secondary sewage treatment facilities adjacent to the existing Southeast Plant.

"The Board of Supervisors, by Resolution No. 551-75 on July 21, 1975, established a policy that the primary-secondary treatment plant for sewage emanating from the Southeast and North Point Sewage Districts be located adjacent to the present Southeast Plant, and within the general limits of Evans Avenue on the north, Rankin Street on the west, Oakdale Avenue on the south and Phelps Street on the east.

"The present Southeast Waster Pollution Control Plant, which went into operation in 1951, is generally bounded by Galvez Avenue, Phelps Street, McKinnon Avenue and Quint Street, in the South Bayshore. One section of the plant provides chemical primary treatment for the sewage flows from the southeast drainage basin. The other section consists of sludge digestion and processing facilities, which treat the sludge from both the Southeast and North Point Plants. The proposed property acquisition would be to provide additional facilities for primary treatment for the North Point Sewage District, and secondary treatment for both the Southeast and North Point Sewage Districts.

"The preliminary plans for the Southeast Plant expansion area indicate secondary sedimentation tanks in the portion of the site generally bounded by Evans, Phelps, Galvez and Quint Streets, which is immediately north of the existing plant. The area to the west of these tanks, extending to Rankin Street, would include

primary sedimentation tanks, aeration tanks, a pre-treatment building, an oxygen production and storage building, and a railroad loading spur. Other new facilities, primarily within the existing plant area, would include a Master Control Building, Laboratory, Maintenance Shop, and parking, truck garage, and storage facilities. The original proposal for the expansion would have included an extension from Evans Avenue north to Third Street and Islais Creek, which would have included property within Assessor's Blocks 5201, 5211, 5212, 5215, 5216, 5217, 5226, 5227, 5228 and 5232; the site area has been substantially reduced in response to community concerns over the resulting loss of employment and need for relocation of businesses difficult to relocate within the city.

"The potential for undergrounding the expansion of the plant was investigated. Such undergrounding is not being proposed, as it would require a large increase in construction costs; a large increase in operating costs, to be borne totally by the City; a large increase in energy consumption during operation, as the effluent would have to be pumped in order to flow through the outfalls; and less operational reliability, as additional means other than gravity would have to be relied upon in moving the effluent.

"As a condition of their policy statement, the Board of Supervisors called for development of the plant in such a manner as to provide approximately eight acres of recreation and park-type facilities. In review of preliminary plans for the project, it has appeared that provision of these eight acres would in whole or in part necessitate a raised platform, above plant facilities and the grade of adjacent streets. There may be some questions as to whether such raised recreation and park-type facilities would best serve the needs of the community. The Department will continue to explore this with the community, in an effort to arrive at an optimal solution.

"The property proposed for acquisition includes residential, industrial, and vacant property, some of which is City and State owned. The land to the south of the existing plant includes approximately 20 residential units, an equipment sales operation, and three automobile-oriented uses. The land to the north and west includes Pacific Telephone, Rhodes and Jameson,

McCormack-Morgan Co. and Morgan Equipment, as well as much vacant land. Approximately 180 private jobs would be affected by acquisition.

"The land use in the vicinity of the project generally includes residential uses to the south, and industrial uses to the north and west. Phelps Street, south of Jerrold Avenue, has residential uses on its southeasterly side. Above-grade railroad tracks generally separate the plant from industrial development to the west, which includes the San Francisco Produce Market. Between the railroad tracks and the plant are the City Asphalt Plant and the City Purchasing Department, which includes the Central Shops.

"The City Planning Commission, in certifying the completion of the Environmental Impact Report, found that the project as proposed would have a significant effect on the environment, but that failure to construct the sewage plant, in itself an environmental facility, would have an even more significant effect on the environment. The impact report identified the following as adverse impacts of the project:

" - relocation of residential, industrial, commercial and governmental uses
" - construction noise, due to pile drivers, excavation equipment and pumping activities, and construction hazards
" - noise during operation, primarily due to oxygen production
" - production of construction debris and excavation spoils
" - truck and auto traffic during construction and operation
" - air quality impacts during construction, due to dust or particulates
" - air quality impacts during operation, due to potential release of fumes containing hydrogen sulfide from sludge digestors
" - closure of Quint Street and other streets passing through the boundaries of the plant
" - use of energy
" - disposal of secondary effluent into Islais Creek
" - visual prominence of the project.

"A number of measures were discussed in the impact report for mitigating these impacts.

"The impact report identified the major beneficial effect of the project as the ability to provide a sewage effluent of decidedly superior quality, with resultant beneficial effects on beaches and the water of San Francisco Bay. A second beneficial effect was the potential to use existing North Point facilities to treat wet weather flows, thereby doubling the present peak treatment capacity of the overall system, and reducing the necessity for wet weather bypassing of treatment and concomitant contamination of beaches and water.

"In the evaluation of the proposed project with respect to the Master Plan, the existing plant has been considered along with the proposed expansion, as part of the effort to ensure that the entire operation and facilities are developed in such a manner as to be compatible with the neighboring community.

"The Residence Element of the Master Plan designates this area as 'Commercial and Industrial,' and the proposed use is consistent with this designation. That Element calls for minimization of displacement of people and businesses as a result of public programs and, in cases where displacement must occur, provision of uniform services through the Central Relocation Service at least equal to those required under Federal urban renewal. The proposed expansion would include such services.

"The Thoroughfares Plan of the Transportation Element of the Master Plan designates Evans and Oakdale Avenues and Quint Street as 'secondary thoroughfares.' It states that the unimproved portion of Quint Street between Third Street (a 'major thoroughfare') and Oakdale Avenue should be fully improved for industrial traffic, to divert trucks from Third Street. The present proposal would require closing of Quint Street, in which case an alternate diversion route would be required. Such an alternate diversion route is being developed.

"The Recreation and Open Space Element of the Master Plan designates the South Bayshore as a high-need neighborhood, within which priority should be given for new recreational facilities and programs, and delineates the southerly portion of the existing plant as being within that larger area. The Element calls for participation by public and private agencies and citizens in cooperative planning for recreation.

"The South Bayshore Plan, a portion of the Master Plan, calls for small play areas and linear parks, and for buffering of residential uses from industrial uses with landscaped strips. An objective of the Plan is to improve the appearance of the area for those who live there. The Plan states 'Generally, industry in the district should be attractive in appearance and labor-intensive.' Labor-intensive connotes a large ratio of people per site area or work product. The proposed project can be developed so as to be attractive in appearance but, in this expansion of an existing plant, labor-intensiveness would not be achieved. The Plan does not, however, require that all industry in the district be labor-intensive, and it was not intended to preclude construction of important public facilities.

"The Urban Design Element of the Master Plan states, as a fundamental principle for neighborhood environment, that public buildings can contribute to neighborhood appearance if they are well-designed, attractively painted and generously landscaped. The Element calls for protection of residential areas from the noise, pollution and physical danger of excessive traffic, and for buffering for residential properties when heavy traffic cannot be avoided. The proposed project includes provisions for such protection and buffering of residential properties, and for careful treatment of the appearance of the facility."

Subsequently, Mr. Steele offered the following recommendation on behalf of the Director of Planning:

"It is recommended that the Director be authorized to report that the acquisition of property for the expansion of the Southeast Water Pollution Control Plant, consisting of all of Assessor's Blocks 5233, 5234, 5243, 5244, and 5251, and portions of Blocks 5250, 5304 and 5313, all as shown on Public Works Drawing DSE-750-135, is in conformity with the Master Plan, provided that the following conditions are met:

"I. Provide substantial recreation and park-type facilities, as stated in the policy set forth by the Board of Supervisors in Resolution No. 551-75, or in any future policy statements by the Board. A portion of such space may be provided above plant facilities, following consultation with and general agreement by

the community. If such space is provided above plant facilities, the required platform shall be at an average height above the grade of adjacent public streets, of approximately 15 feet, or less if possible, in order to avoid undue difficulty of access. Integrate any recreational space within plant boundaries with adjacent plant structures, both visually and, where feasible, physically. Provide for continuing involvement of the neighboring community in the design of recreational facilities, in accordance with the Master Plan, community desires, and Resolution No. 551-75 of the Board of Supervisors.

"II. Use landscaped berms or terraces to provide a gradual transition between the grade of public rights-of-way and any recreational facilities developed above that grade, in order to increase accessibility and visual penetration to the facilities from the peripheral public rights-of-way, and maximize public use of the facilities.

"III. Give careful consideration to the safety of users of the recreational space. Incorporate concepts for public safety where appropriate in the design of the recreational space and adjoining plant facilities, especially in the location of park access points, development of landscaping, and the capacity of the recreational space to be visible by users of adjacent and nearby properties and public rights-of-way.

"IV. Divert through traffic from the residential portion of Phelps Street between Jerrold and Oakdale Avenues, using appropriate treatment as called for in the plan for Protected Residential Areas of the Urban Design Element of the Master Plan, and in conformity with the wishes of the community. This should be done in such a manner as to provide an alternate to the use of Quint Street to divert truck traffic from Third Street.

V. Screen facilities to the maximum extent feasible from near (street) and distant (ridgetop) views, through the use of landscaping and buffer strips.

"A. Provide an exterior landscaped strip, composed of large-scale trees and shrubs, along Evans Avenue, Phelps Street and Oakdale Avenue, and provide perimeter trees along other boundaries where appropriate.

Give special consideration for massive planting to those locations that can significantly reduce the visual impact of the plant presence, particularly in locations where residential streets axially intersect the existing and proposed plant boundaries, and are adjacent to those boundaries.

"B. Provide substantial street trees along the streets which run within and through the plant boundaries.

"C. Provide interior groupings of tall trees to the maximum extent possible, in locations where planting would screen the views of the plant from residential areas at higher elevations.

"D. Provide parking and plant access from streets other than Phelps Street south of Jerrold Avenue, with no more than one access point onto Phelps Street, unless additional access is necessary and approved by the Department of City Planning. Provide interior plantings, including trees, within any open parking facilities.

"VI. Give special attention to the design of all structures and lighting, in order to improve the appearance of the area for those who live there.

"A. Provide such facade treatment for structures within the facility as will minimize visual impact and industrial appearance. Provide perimeter walls for the facility that are decorative and not purely protective devices.

"B. Reduce visual impact of lighting by minimizing night lighting, except when required for recreational uses, and by locating, designing and placing light fixtures in such a manner as to insure that no direct rays of light go beyond the boundary lines and so affect residential uses.

"VII. Provide uniform relocation services to all people and businesses displaced, at least equal to those required under Federal urban renewal, through the Central Relocation Service.

"VIII. Comply with standards set by the California Regional Water Quality Control Board, in as short a time as possible, to prevent any discharge of hydrogen sulfide that would result in offensive odor beyond the perimeter of the plant.

"IX. Present specific landscaping plans and plans for recreational uses to the Department of City Planning, as well as other appropriate agencies, for review and approval.

"Additionally, it is recommended that the Director be authorized to request, in view of the community concern over untreated sewage which flows into the Bay during wet weather overflows, that the Department of Public Works work with all appropriate agencies to expedite implementation of provisions of the Wastewater Management Master Plan to minimize wet weather overflows.

"Additionally, it is recommended that the Director be authorized to report that an overriding consideration for the project, in view of the adverse impacts described in the Environmental Impact Report, was the necessity of the proposed project to improve effluent quality and to minimize wet weather overflows in the management of wastewater in San Francisco."

During the course of Mr. Steele's presentation, President Newman asked why the platform for recreational space would be at an elevation 15 feet above the ground. Robert Levy, City Engineer, replied that the platform would be constructed over a number of tanks. While the tanks themselves will be at grade, the tanks will contain equipment which must occasionally be removed; and, as a result, 15 feet of air space would be required above the tanks. He stated that the platform would be accessible by way of a sloping grade so that stairs would not have to be used.

Commissioner Fleishhacker, noting that the Board of Supervisors had specified that eight acres of open space should be provided, asked how many acres of land would be required for the entire project. Mr. Levy replied that the Department of Public Works presently owns 25 acres in the area plus 7 acres of street rights-of-way. In order to construct the proposed project, approximately 15 additional acres of property will have to be acquired.

Commissioner Ritchie inquired about the appearance, usefulness, and cost of the 8-acre platform. Mr. Levy replied that the platform would have dimensions of approximately 600 feet by 600 feet for a total area of approximately 8 acres. The platform will be constructed of concrete; and certain portions of the platform may be covered with an artificial surface such as astoturf. The platform would be used for activities such as baseball, tennis, and basketball; and it would also serve as a cover for the tanks beneath. It was estimated that the platform would cost approximately $10,000.000.

Commissioner Ritchie observed that the proposed platform would be equivalent in size to eight football fields. He emphasized that a platform would be nothing more than a vast area of unrelieved concrete; and he felt that better use could be made of the $10,000.000 which the platform would cost.

Mr. Levy stated that the Department of Public Works had originally proposed recreational areas at grade when it was thought that the new facilities would be constructed on a larger site; however, since the site had been compressed, they were left with no alternative other than to put the recreational space on a platform.

Commissioner Fleishhacker remarked that reduction in the size of the site for the new facility below that which had originally been proposed would save the City a considerable amount of money.

Commissioner Porter inquired about the sources of funding for the project. Mr. Levy replied that 75% of the funds would come from the Federal government with the City and the State each providing 12½% of the funds.

Dean L. Macris, Director of Planning, stated that representatives of the staff had met with representatives of the subject neighborhood last Thursday night to discuss the Master Plan referral on acquisition of property for the expansion of the Sewage Treatment Plant and the conditions which should apply if the property is to be acquired. At that time, residents of the area did raise some questions regarding the usefulness of the 8-acre platform. He emphasized that the Board of Supervisors had called for the provision of 8 acres of recreation and park-type facilities; however, he felt that it would be appropriate for the staff of the Department of City Planning and the Department of Public Works to continue to work with residents of the neighborhood in an effort to design the best possible sort of recreational space. Commissioner Fleishhacker asked if the condition pertaining to landscaping and screening would apply to properties presently owned by the Department of Public Works as well as those to be acquired for the expansion program. Mr. Steele replied in the affirmative.

President Newman asked Mr. Levy to describe the facilities which would be constructed during the expansion program. Mr. Levy displayed and described a site plan which had been prepared for the project.

Commissioner Ritchie, noting that the 8 acre platform would be constructed over aeration tanks, remarked that sunlight and air are generally used for aeration and purification; and he wondered if the platform would inhibit that process. Mr. Levy replied that the

new plant will produce its own oxygen which will be used for the aeration process. If the plant were being constructed in an area where a great deal of land is available, the design of the facility might have been much different.

Commissioner Ritchie, noting that Mr. Steele had stated that approximately 180 private jobs would be "affected" by acquisition of the subject property, asked what was meant by the word "affected". Mr. Steele replied that firms employing approximately 180 individuals will be acquired. Some may relocate and others may not; and, in either case, some of the present employees may lose their jobs.

The Rev. Eddie Welbon, Vice President of the Bay View Baptist Ministers Fellowship and a member of the Citizens Committee in opposition to expansion of the Sewage Treatment Plant, stated that the proposed facility would process 80% of the City's waste products as well as sewage from San Bruno Mountain; and he felt that it was extremely unfair of the City to propose such a facility in a neighborhood inhabited by poor people. Because people living in the area had been "red lined" by loan institutions, they would not be able to get loans to buy property elsewhere; and they would have to continue living in a neighborhood with a Sewage Treatment Plant. While he recognized that the City is in serious violation of the requirements of the Regional Water Quality Control Board, he stated that residents of the subject neighborhood intended to take action against the proposal to expand the Southeast Sewage Treatment Plant; and he was convinced that the expansion would not be approved by the Regional Water Quality Control Board once that Board becomes aware that serious health problems are associated with the project.

Commissioner Rueda emphasized that the Board of Supervisors had already established a policy that the Sewage Treatment Plant is to be expanded; and the only function of the Commission was to render an advisory opinion as to whether acquisition of the property for the expansion would be in conformity with the Master Plan.

Commissioner Porter asked if the City would face the threat of a building ban if it should fail to proceed with construction of the proposed facility. Mr. Levy replied in the affirmative, indicating that the Regional Water Quality Control Board is scheduled to meet on December 8 to consider taking punitive action against the City which might involve a building ban, fines, or other measures which it might feel appropriate. The only way the City could avoid such punitive action would be to demonstrate that it is back on schedule in terms of the construction of the facilities indicated in the San Francisco Waste Water Management Master Plan and that there is a reasonable expectation that the City will meet that schedule. The two major actions which would help the City

to get back to its original schedule would be approval of the acquisition of the property for expansion of the Southeast Sewage Treatment Plant and approval of the Charter amendment which would permit use of park land south of the San Francisco Zoo for the construction of water pollution control facilities in accordance with the Waste Water Master Plan.

Commissioner Porter asked if the Regional Water Quality Control Board has the authority to impose a fine on the City in addition to imposing a building ban. Mr. Levy replied in the affirmative, indicating that the Board could impose a fine of up to $10,000 a day. In addition, the Board could initiate criminal legal action against City Officials for failure to comply with its requirements.

Rev. Welbon stated that residents of the subject neighborhood were well aware that the City is facing a major problem in terms of complying with the requirements of the Regional Water Control Board; but they felt that the City could have proposed to locate the new facilities in Fort Baker or at some other location instead of in the Hunters Point area. Another approach would have been to install the facilities around the perimeters of the City with an outfall for dumping into the ocean. He stated that residents of the neighborhood intended to take the matter to court; but they felt that it would have been better if they had been able to work with the City towards a mutually satisfying solution.

The Rev. James Martin, also a member of the committe organized for opposition to the proposed expansion of the Southeast Sewage Treatment Plant, stated that he agreed with Rev. Welbon that cooperation between residents of the neighborhood and the City would have been preferable to a law suit over a sewage facility which would treat most of San Francisco's sewage in addition to sewage from San Bruno Mountain.

In reply to a question raised by Commissioner Fleishhacker concerning the references to sewage from San Bruno Mountain, Mr. Levy stated that a condition of the grant given by the State for construction of the facility was that sewage from the north side of the San Bruno Mountain development be processed in the plant. The contract containing that condition was approved by the Board of Supervisors two years ago and provides that the City will accept between 2 and 3 million gallons of sewage a day from the San Bruno Mountain development. He remarked that such agreements are common; and he indicated that sewage from the San Francisco Jail in San Bruno is processed by San Mateo County.

Rev. Martin advised the Commission that he regarded the 8 acre concrete platform as a "superficial band-aid" which was offered by the Board of Supervisors when it approved the expansion of the Southeast Sewage Treatment Plant over the opposition of residents of the neighborhood. In his opinion, construction of a so called "park" for children over sewage tanks would be an insult to the neighborhood. He also felt that it was highly unlikely that the Charter amendment to permit construction of sewage facilities on park land south of the San Francisco Zoo would be passed by the electorate; and he expected that those facilities would ultimately be located in the subject neighborhood, also. Yet, when he had asked Mr. Levy if he had any alternate plans for the location of those facilities if the ballot measure should fail, he had received no response.

Commissioner Mellon stated that the Department of Public Works had recommended that the site south of the San Francisco Zoo would be the best location for the facilities which had been mentioned by Rev. Martin; and he believed that discussion of alternative sites at the present time would only confuse the voters.

Rev. Martin stated that he felt that very little imagination had been demonstrated in the City's approach to planning new sewage facilities; and he regarded it as extremely unfair that such facilities should be constructed in a poor neighborhood.

Commissioner Fleishhacker asked the Director if he could offer any further recommendations concerning the recreational space which was being proposed as a part of the project. The Director replied that he did not wish to make specific recommendations which might violate the policy which was adopted by the Board of Supervisors; but he was confident that the conditions which he had recommended would allow the staff of the Department of City Planning to explore alternatives to the platform with residents of the neighborhood.

President Newman stated that it was his personal opinion that the money which the platform would cost could be used in some better way to benefit the neighborhood; but it was questionable as to whether the funds could be used elsewhere.

Commissioner Porter stated that many changes will undoubtedly be made in plans for the proposed facility before it is constructed; and she was confident that a more satisfactory solution could be developed for provision of the recreational space. When she inquired about the construction schedule, Mr. Levy replied that construction on the facility is scheduled to commence in December, 1977.

Commissioner Ritchie stated that he had been opposed to the proposal to expand the Southeast Sewage Treatment Plant when it had first been presented to the Commission; and he had voted against certification of the Environmental Impact Report for the project. He felt that the proposal to gain community support for the project by proposing an 8 acre concrete platform on top of the sewage tanks at a cost of $10,000,000 was bizarre and a terrible insult to the community; and he intended to vote against the recommendation of the staff on the Master Plan referral matter.

Commissioner Mellon emphasized that the concrete platform would have a secondary purpose in that it would cover the sewage tanks.

Commissioner Rueda remarked that the Commission was constrained by Federal and State law and by policy of the Board of Supervisors to act favorably on the matter presently under consideration. In adopting the recommendation of the staff, the Commission would not be saying that the new facility should be built on the subject property but that it would be in conformity with the Master Plan if it is constructed there. Under the circumstances, he moved that the Director be authorized to report that acquisition of the subject properties for the expansion of the Southeast Water Pollution Control Plant is in conformity with the Master Plan providing that the conditions which had been read by Mr. Steele are met. The motion was seconded by Commissioner Fleishhacker.

Commissioner Ritchie stated that he was aware of the nature of the action pending before the Commission. However, he felt that the matter had come before the Commission very rapidly following adoption of the Board of Supervisor's policy regarding the site; and he noted that only two individuals had been present from the community to testify on the matter. He believed that expansion of the plant would be extremely detrimental to the surrounding residential area; and he felt that it would have a devastating effect on the few industrial uses which remain in the area. Therefore, he intended to vote against the motion.

Commissioner Porter asked if the sewage tanks could be covered more economically if alternate plans were to be developed for the recreational space. Mr. Levy replied that any covering at all would probably cost approximately the same amount as the proposed platform.

Commissioner Porter then remarked that the City's new sewage treatment facilities had been under consideration for the past 15 years; and she felt that it would be extremely unfortunate for the City if a building ban were to be imposed by the Regional Water Quality Control Board in December. Under the circumstances, she stated that she intended to vote in support of the motion.

President Newman stated that he felt that the Commission had done everything possible to give residents of the community an opportunity to comment on the project during the course of the Environmental Review process. He noted that the Wastewater Management Program is the largest Public Works project to be undertaken in San Francisco in the history of the City; and, while the City would probably not have initiated the project by itself, the City had been ordered to proceed with the project for its own good. The only alternative site for the proposed facility would have been the "Alvord property"; but it had turned out that that property was unavailable. Therefore, he felt that the Commission had no alternative other than to act in accordance with the staff recommendation.

Commissioner Finn noted that the Charter specifies that the City Planning Commission must act on Master Plan referrals within 30 days of their receipt.

When the question was called, the Commission voted 6 to 1 to authorize the Director to report that acquisition of property for the expansion of the Southeast Water Pollution Control Plant, consisting of all of the Assessor's Blocks 5233, 5234, 5243, 5244, 5251, and portions of Blocks 5250, 5304 and 5313, all as shown on Public Works drawing DSE-750-135, is in conformity with the Master Plan provided that the conditions which had been proposed by the staff are met. Commissioners Finn, Fleishhacker, Mellon, Newman, Porter and Rueda voted "Aye"; Commissioners Ritchie voted "No".

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 449563 FOR A THREE-UNIT APARTMENT BUILDING PROPOSED FOR CONSTRUCTION AT THE NORTHEAST CORNER OF HYDE AND LOMBARD STREETS.

Alan Billingsley, Planner II, referred to land use and zoning map to describe the subject property which is a rectangular parcel having a 67-foot frontage on Hyde Street and an 85-foot frontage on Lombard Street for an area of approximately 5,700 square feet. The property is zoned R-5 and is subject to a forty-foot height limit. The site is presently vacant. The applicant proposed to construct a three-unit apartment building on the property with a height of 40 feet as measured from curb level at the center of the property frontage on Hyde Street. Because the lot slopes steeply to the rear of the property, the rear of the building would measure approximately 50 feet from ground level. Under the interim residential zoning controls, a 17.5-foot rear yard would be required; and the proposed building would have a 19-foot rear yard. A deck above a five space parking garage would extend into the rear yard a distance of approximately 4.5 feet as a permitted obstruction in a

required rear yard. The proposed building would also have a side yard on Lombard Street varying from o to 16 feet in width through a series of setbacks on the side of the building. Seven trees along the rear property line and a major cyprus tree immediately adjacent to the property would be retained. In addition, the three street trees along Hyde Street would be retained. The request for Discretionary Review of the plans for the proposed building had been made in writing by Phillip G. Zimbardo, 25 Montclair Terrace.

Dr. Zimbardo, who was present in the audience, stated that he is the President of the Montclair Terrace Association. He noted that the same applicant had previously proposed a much larger development involving additional property on Hyde Street; and, while the Commission had determined that no Environmental Impact Report would be required for that project, it had indicated its intention of conducting a Discretionary Review of plans for the project. In a later communication from the Department of City Planning, it was indicated that the following additional information was being requested of the applicant:

1. Soils, drainage, subservice water and seismic information is to be updated or amended as applicable.

2. Tree and soils report detailing the root structures of the mature trees to be retained and a statement as to what measures will be undertaken to prevent the possibility of "leaching" from the new concrete work to surrounding soils.

3. Modify, as necessary, the two previously submitted shadow diagrams to indicate the most recent changes in building forms and/or height and include one additional study for March 21.

4. A plan for the preservation, removal, or thining of trees on the property should be prepared by a tree specialist.

5. Balcony designs should be reworked.

Dr. Zimbardo felt that the same information should be provided for the building now being proposed; and he indicated that he would welcome the proposed development if the results of the Discretionary Review indicate that the building would pose no problems. By asking for the Discretionary Review, his organization was, in effect, asking for information about a building proposed for the most unique corner in the City.

Commissioner Ritchie, noting that several developments had been proposed for the subject property including a high-rise apartment building, asked Dr. Zimbardo if he would really object to construction of a three-unit apartment building. Dr. Zimbardo replied that he did not object to the building but that he merely wanted additional information concerning the proposed project.

Commissioner Fleishhacker asked Dr. Zimbardo if he was representing only himself or if he was representing the Montclair Terrace Association. Dr. Zimbardo replied that he was representing the association. In reply to a further question raised by Commissioner Fleishhacker, Dr. Zimbardo stated that a majority of the members of the association had voted to request a Discretionary Review.

Dean L. Macris, Director of Planning, stated that he had understood that the Montclair Terrace Association had not taken an official position regarding the request for Discretionary Review; and, in fact, several letters had been received from residents of the neighborhood who were in favor of the project.

President Newman called attention to letters which had been received from Jack F. Dohrmann, 44 Montclair Terrace; Leland A. Doan, 1070 Lombard Street; and James J. Ludwig, 66 Montclair Terrace, indicating that they had no objection to the proposed project. He also noted that Mr. Ludwig had stated in his letter that the Montclair Terrace Association had taken no position on the project.

Gary Near, Attorney for Gerson Bakar, the applicant, stated that he would defer his comments until the recommendation of the Director of Planning had been presented to the Commission.

The Director recommended that the request for Discretionary Review of the proposed project be denied for the following reasons:

"1. The proposal is now for 3 units rather than 28 as originally heard by the Commission in the EIR process for a building which is substantially lower in density, and somewhat lower in building coverage and bulk, than what would be permitted by the Planning Code.

"2. The applicant has responded to concerns expressed by the staff of this Department as to the design of an earlier proposal, through modifications which produce a highly-articulated facade and roofline. This has the effect of reducing the apparent bulk of the building, especially along the Lombard Street facade and the rear facade.

"3. The southeast corner of the proposed building is a critical corner in terms of potential blocking of views from Hyde Street at the top of Lombard Street, and in terms of shadows that might be cast on properties to the rear which front on Montclair Terrace (according to a shadow analysis prepared by the applicant for an earlier proposal). The design before you has a side yard along Lombard Street which increases through a series of setbacks toward the rear of the property to a maximum of 16 feet at the southeast corner. This would have the effect of somewhat reducing view blockage and reducing afternoon shadows cast on the neighboring properties.

"4. The proposal provides for retention of existing trees along the rear property line, including a large cypress tree immediately adjacent to the property line. In addition, the three tall trees along Hyde Street would be retained."

Dr. Zimbardo remarked that none of the comments which had been made by the Director were related to the issues which were to have been covered during the Discretionary Review of the project previously proposed; and he continued to feel that the additional information should be provided for the project presently contemplated.

Mr. Near stated that he hoped that the Commission would act in accordance with the Director's recommendation. He also submitted a letter which had been written by Mary Sutro, 2345 Hyde Street, in support of the proposed project.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the request for Discretionary Review of the plans for the proposed project be denied.

At 3:05 p.m. President Newman announced a 10-minute recess. The Commission reconvened at 3:15 p.m. and proceeded with hearing of the remainder of the agenda.

EE75.183 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SAN FRANCISCO PERFORMING ARTS CENTER ON PROPERTY BOUNDED BY VAN NESS AVENUE AND GROVE, FRANKLIN, AND HAYES STREETS; 3000 SEAT MAIN SYMPHONY HALL, 700 SEAT RECITAL HALL AND AN ANCILLARY SPACE, AND 400 STALL PARKING GARAGE.

Following introductory comments made by President Newman, Alec Bash, City Planning Coordinator, summarized the Environmental Impact Report and responded to questions raised by members of the Commission.

President Newman stated that correspondence had been received relative to the Draft Environmental Impact Report for the Performing Arts Center from the following individuals: Stewart H. Bloom, 1695 North Point Street; William M. Brinton, Attorney; Samuel B. Stewart, President of the Sponsors of San Francisco Performing Arts Center Inc., Richard E. Boles, 455 Upper Terrace; John L. Frisbee, III, Regional Director of the National Trust for Historic Preservation; James J. Finn, Director of Transportation for the Public Utilities Commission of San Francisco; Mrs. Bland Platt, President of the Landmarks Preservation Advisory Board; and Milton Feldstein, Deputy Air Pollution Control Officer for the Bay Area Air Pollution Control District.

The Commission then received comments from members of the audience including Stewart H. Bloom, 1695 North Point Street; Barney Gould, 25 Taylor Street; Anna Darden, 166 Downey Street; and Robert Berner, Urban Conservation Officer for the Foundation for San Francisco's Architectural Heritage.

During the discussion which followed, Samuel B. Stewart, President of the Sponsors of San Francisco Performing Arts Center, Inc.; and Pietro Belluschi, Supervising Architect for the Sponsors of San Francisco Performing Arts Center, Inc., responded to questions which were raised by members of the Commission.

At the conclusion of the discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the public hearing be closed and that the matter be taken under advisement until the meeting of September 11, 1975.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription. A court reporter was also present at the meeting.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, August 21, 1975.

The City Planning Commission met pursuant to notice on Thursday, August 21, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Lucian Blazej, Planner IV; Sidney Shaw, Planner IV; Marie Zeller, Planner III-Administrative; Audrey Owen, Staff Assistant III-Community Development-Administrative; Jonathan Twichell, Transit Planner III; Ralph Gigliello, Planner II; Carl Ness, Planner II; Russell Watson, Planner II; Gary Craft, Planner I; Debbie Kogan, City Planning Intern; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meeting of July 31, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded members of the Implementation Committee (Commissioners Fleishhacker, Porter, Rueda) of a meeting scheduled next Thursday, August 28, at 12:00 Noon.

The Director advised the Commission that a field trip will be scheduled at 1:00 next Thursday to visit properties which will be considered during the Zoning Hearing to be held on September 4, 1975.

The Director reported that he had participated in a Housing Conference at the Chinese Cultural Center earlier in the day.

The Director informed the Commission that complaints had been received regarding noise generated by barking dogs at the new Pets Unlimited facility at 2343 Fillmore Street. Tests had been conducted by the Department of City

Planning and the Department of Public Health and it was found that the barking dogs could be clearly heard within an adjacent building and across the street from the facility. As a result, cease and desist orders are being issued by both departments. If the violation is not corrected within 30 days, the Commission could be asked to revoke the Conditional Use Authorization for the facility.

During the course of the Director's report, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

R75.45 - CHANGES IN POLK STREET SIDEWALK WIDTHS TO PROVIDE FIVE BUS PLATFORMS.

Jonathan Twichell, Transit Planner III, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been transmitted by the Director of Public Works for review as to conformity with the Master Plan.

"The proposal is for five bus loading platforms for southbound buses on Polk Street, as part of the transit preferential street treatment for that street. Polk Street has two moving lanes southbound and only one moving lane northbound; for that reason, platforms are proposed for the west side of the street only. Locations for these five permanent platforms have been selected after evaluation of three temporary islands in use on Polk Street since April 1974. The locations were discussed in a Department of Public Works public hearing, and have the approval of the staffs of the Municipal Railway and Department of Public Works, as well as the Polk Street Merchants' Association.

"There are two platforms proposed for the near (north) side of the intersections at California and Sutter Streets, which are permanent replacements for temporary platforms already at those locations. There would be one platform on the far (south) side of the intersection at Pine Street, which replaces a near-side platform presently at that corner. Finally, there are two mid-block platforms proposed, one between Jackson and Washington Streets, and the other between Clay and Sacramento Streets. The mid-block stops are so placed as to allow patrons transferring to the No. 25 or No. 55 line a half-block walk in either direction.

"Each platform protrudes six feet from the present sidewalk. In length, the mid-block stops are 58 feet over-all. The intersection stops are 35 feet for bus stopping, and 73 feet over-all, including the curve into the curb.

"In addition to the platforms, the Polk Street treatment includes movement of some bus stops and the removal of other stops in both the northbound and southbound directions.

"The total cost of the project is $47,000, with funding from the City's Transit Preferential Streets appropriations and Federal sources. This amount includes the platforms, lowering of the street crowns in the respective blocks for proper drainage and balance, and street furnishings such as benches and signs. The Polk Street merchants will be contacted regarding funding for planting and maintenance of trees on the platforms.

"The Transportation Element of the Master Plan includes a Transit Preferential Streets Plan encompassing the affected area of Polk Street. Further, the Transit Preferential Streets Program, developed jointly by the Department of City Planning, the Department of Public Works and the Municipal Railway in 1973, proposed bus loading platforms for Polk Street. The temporary platforms have received a positive response from bus drivers and passengers. The changes as proposed here, to install permanent platforms, would be consistent with the Master Plan and the Transit Preferential Streets Program."

Commissioner Finn stated that surveys which had been made of the temporary bus platforms had indicated that they have been well received by merchants, passengers, and drivers for the Municipal Railway. The bus platforms had not significantly speeded up service on the lines; but they had facilitated the loading and unloading of passengers.

Commissioner Rueda, noting that Polk Street is a two way street, asked why the bus loading platforms were being proposed only for the west side of the street. Commissioner Finn replied that Polk has two south bound lanes and only one north bound lane. While it would thus be impossible to install the bus loading platforms on the east side of the street, the number of stops on that side of the street will be reduced.

Commissioner Fleishhacker asked if the program for installation of the loading platforms on Polk Street was regarded as a pilot project with the possibility that similar facilities would be installed on other transit streets. Commissioner Finn replied in the affirmative.

Commissioner Porter stated that she had received several telephone calls from individual motorists who had been critical of the bus loading platforms.

Dean L. Macris, Director of Planning, recommended that the changes in sidewalk width to provide the bus platforms be approved as in conformity with the Master Plan on the condition that the Department of Public Works, the Department of City Planning, and Polk Street merchants continue to explore means for including landscaping and other appropriate embellishments on those platforms.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the Director be authorized to report that changes in sidewalk width to provide five bus platforms on Polk Street, as shown on Bureau of Engineering Map Q-20-305, is in conformity with the Master Plan, on the condition that the Department of Public Works, the Department of City Planning and Polk Street merchants continue to explore means for including landscaping and other appropriate embellishments on those platforms.

CURRENT MATTERS continued

Commissioner Fleishhacker remarked that two actions which had been taken by the Commission during its meeting of August 14, 1975, had been incorrectly reported in the press. In one instance, where the Commission had denied a request for discretionary review of a building permit application for a three-unit apartment building proposed for construction at the northeast corner of Hyde and Lombard Streets, the press had reported that the permit application had been approved. In the second instance, the press had reported that the Commission had approved the Draft Environmental Impact Report for the San Francisco Performing Arts Center whereas, in fact, the Commission had merely closed the public hearing on the report and had taken the matter under advisement until the meeting of September 11, 1975. He suggested that the Commission might wish to state its actions more clearly in the future.

STATUS REPORT ON MASTER PLAN FOR GOLDEN GATE NATIONAL RECREATION AREA BY STAFF OF THE GOLDEN GATE NATIONAL RECREATION AREA.

Bill Whalen, General Superintendent of the Golden Gate National Recreation Area, reported on the status of plans for portions of the Golden Gate National Recreation Area located within San Francisco and responded to questions raised by members of the Commission. He noted that an agreement had been signed between the City and the Golden Gate National Recreation Area under which his agency had agreed to keep the Commission advised of developments contemplated for park lands located within San Francisco; and he indicated that reports will be made to the Commission on a continuing basis.

PRESENTATION OF SUMMARY REPORT ON COMPLETION OF SECOND PHASE OF RESIDENTIAL ZONING STUDY, INCLUDING ALTERNATIVE DISTRICTS AND REGULATIONS.

Robert Passmore, Planner V (Zoning), presented and summarized a memorandum entitled "Report on Completion of First Year of Residential Zoning Study, Including Alternative Conceptual Zoning Frameworks". The memorandum, which is available in the files of the Department of City Planning, contains the following comments regarding a proposed zoning framework for San Francisco:

"The staff believes a system of overlay districts, or a modified schedules approach, would provide the best zoning framework in response to the concerns that must be dealt with by the new ordinance, and such a framework will be used in the remaining work of the study. Combining some of the concepts of the schedules approach with the overlay idea may give greater flexibility, and a clearer public understanding of the proposed controls.

"The approach being pursued by the staff consists of three levels of standards and criteria for development. Each level might or might not be reflected in separate zoning districts.

"1. A first level would consist of districts providing the most basic land use and density standards.

"2. A second level would consist of districts or regulations to be used when the land use and density standards do not reflect special

characteristics or unique land use and environmental needs that differ from one area of the city to another.

"3. A third level would consist of special policies, criteria or standards applicable to neighborhoods, communities or other areas on the basis of their own individual identities and needs as reflected in adopted plans and guidelines.

"1. First Level

"The first level would be a set of districts with accompanying standards which would control the permitted dwelling density on a lot, the building envelope (dimensions and open areas), usable open space, permitted uses and activities, and possibly off-street parking.

"The staff presently believes that ten residential districts, and a number of mixed-use district (allowing mixed residential-commercial or residential-light industrial activities) are needed to cover the levels of density and intensity required to provide the desired variety of housing types in the city. The district standards would be uniform; that is, the density and other development standards for a given district of this type would be the same regardless of the location of the district in the city.

"Each of these intensity districts would have stated purposes or goals, relating the permitted densities, building envelopes and uses to residential lifestyles and the corresponding housing types for each area of the city. Each district would have the traditional types of development controls used in past zoning ordinances.

"The ten intensity districts now contemplated can be described as follows:

"(1) A single-family detached district designed to protect, conserve and enhance the amenity and small-scale nature of dwellings in areas containing predominantly owner-occupied single-family detached dwellings for households desiring both a large indoor living area and spacious outdoor areas, typically thought to be desirable for families with children. Ingleside Terrace, Forest Hill and Sea Cliff are examples of this development pattern.

"(2) A single-family district designed to protect, conserve and enhance the amenity and small-scale nature of development in areas containing predominantly owner-occupied single-family dwellings for those households desiring a relatively large indoor living area and sufficient outdoor area typically appropriate for families with children. The Outer Sunset and the Outer Mission are examples of this development pattern.

"(3) A single-family conversion district designed to protect and enhance areas containing single-family dwellings, but allowing creation of an additional dwelling unit within the existing structure typically appropriate for occupancy by a single person desiring to live in a family-oriented neighborhood. Portions of the Inner Sunset and the Richmond are examples of this development pattern.

"(4) A two-family district designed to protect, conserve and enhance areas containing single- and two-family dwellings serving households wishing to become either owners or tenants and preferring to live in large living space within a spacious residential neighborhood. The Buena Vista and Eureka Valley areas are examples of this type of development.

"(5) A two-family conversion district designed to protect and enhance areas containing predominantly family dwellings near major city activity centers, allowing creation of an additional dwelling unit within an existing two-family structure typically appropriate for occupancy by a single person in a low-density family-oriented residential neighborhood. Portions of the Inner Mission, Haight-Ashbury and Potrero Hill are examples of this type of development.

"(6) A three-family district designed to protect, preserve and enhance areas containing predominantly low-scale multi-family structures ranging from one to five units each. This district is intended to stabilize a generally low- to medium-density area. New residential development would be limited to three units with at least one of the units expected to be relatively large in floor area. Portions of Pacific Heights, Noe Valley, Western Addition, the Inner Mission and the Outer Sunset are examples of this type of development.

"(7) A moderate-density multiple residential district designed to protect and enhance areas containing predominantly multi-family housing of mixed unit sizes, serving households of a variety of ages, life styles and sizes. The district is suitable for temporary housing for families with children wishing to live near major community centers, and could be combined with existing neighborhood commercial districts in order to obtain a constant and mixed activity pattern in such areas. Portions of the Richmond, Haight-Ashbury, Clement Street and Upper Market are examples of this type of development.

"(8) A medium-density multiple residential district designed to protect and enhance areas containing a wide range of building and unit sizes and types, serving small and sometimes transient households desiring to live in or near major city centers. Portions of Telegraph Hill, North Beach, Russian Hill and Chinatown are examples of this type of development.

"(9) A medium-high density multiple residential district designed to protect and enhance areas containing predominantly multi-story multiple-unit apartments and condominiums near major city centers. This district is particularly appropriate for mixed-use areas well served by public transit or in combination with community commercial districts where residential services are plentiful. Nob Hill and the area to the south of it are examples of this type of development.

"(10) A high-density multiple residential/commercial district designed to encourage residential development in areas very close to major city centers with a great mixture of uses. This district is intended to result in mixed-use buildings with residential units on upper floors. Downtown areas north of Market Street are examples of this type of development; the South of Market area is a likely place for future development of this type.

"Since the new intensity districts would usually reflect the predominant existing pattern of development, areas with a relatively uniform housing type, such as much of the Sunset, would have only a few intensity districts, each covering relatively large areas of the community. An area having a greater diversity of housing types, such as the Inner Mission, might require numerous intensity districts covering smaller areas of the community in order to preserve the variety of housing. Although predominant existing development would be considered in the districting, it must be noted that reinforcing the prevailing pattern of development in some residential areas might adversely affect the quality of life, and therefore a lesser intensity may be required in the proposed new zoning.

"2. Second Level

"The intent of the second level of controls would be to consider unique or unusual conditions and concerns affecting building projects on the basis of specific geographic locations. This level would modify or add to the regulations of the first level to account for identified environmental and development characteristics and problems.

"The unique conditions that could be the subject of this level of controls, and the boundaries of the affected areas, would be determined from three sources of information:

"(a) Factors described in relevant existing studies and documents. These include, among others, micro-climate conditions, accessibility to open space, view corridors, areas of special architectural merit, and seismic and other geologic hazards.

"(b) Factors such as neighborhood parking needs, housing quality, building appearance and desirable interrelated uses presently being investigated by the Department as part of the Residential Zoning Study.

"(c) Other unique features and concerns applying in specific areas of the city.

"An example of an environmental matter that could be regulated by this level of controls is the specific nature of outdoor recreation space. The first level of districts would fix minimum open space area requirements; however, the way in which those requirements might be

fulfilled could vary in different areas of the city based upon identified climatic, topographic and architectural conditions. Thus, areas with frequent and heavy fog might require screened or protected open space; areas with steep terrain or close spacing of existing buildings might require deck space rather than open yard areas.

"For each of the controls or districts at the second level, the purpose and the appropriate regulations would be written in the ordinance and the boundaries would be drawn on the zoning maps. It is unlikely that all residential areas of the city would require this second level of controls.

"3. Third Level

"It is quite possible that yet a third level will be needed to recognize areas functioning as neighborhoods, communities or other distinct areas with common characteristics.

"Residents of San Francisco traditionally identify with geographic areas. Parts of the city have a separate image, based upon factors such as historic development which led to distinct street patterns and similarities in the appearances of buildings; use of open spaces and landscaping; the interrelationship of uses and activities; and population composition. In addition, it has been common for residents to identify specific neighborhood or community problems and needs.

"Recognition of these facts has sometimes generated policies for individual areas that are expressed in the City's Comprehensive Plan or in neighborhood or community plans. Those policies have in some cases been carried a step farther to produce criteria or standards for development. It is these policies, criteria and standards that would constitute the third level of controls, either by incorporation in the ordinance or by reference to adopted plans and guidelines. The areas affected would tend to correspond in their boundaries to the Community Planning Areas in use by the Department of City Planning. In this manner, planning accomplished on a neighborhood or community basis could be more directly translated into means for protecting or improving portions of the city."

Dean L. Macris, Director of Planning, remarked that the original work program for the Residential Zoning Study had called for completion of the third phase of work on January 1, 1976. However, the staff is now proposing to present the outline of standards and generalized district maps to the Commission on November 20, 1975, with a public hearing regarding the materials to be scheduled in December.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the staff's proposal to explore the possibility of expanding the number of residential zoning districts and to develop a system of overlay districts be endorsed.

At 4:20 p.m. Vice President Porter announced a 5 minute recess. The Commission reconvened at 4:25 p.m. and proceeded with hearing of the remainder of the agenda.

R118.75.9 - PUBLIC HEARING ON TENTATIVE MAP FOR SUBDIVISION OF LOTS 1 & 2, ASSESSOR'S BLOCK 5966, INTO SIX LOTS, FELTON AND HOWARD STREETS.

Ralph Gigliello, Planner II, described the subject parcel of property, indicating that it is rectangular in shape and that it has a frontage of 90 feet on Felton Street and 137.5 feet on Harvard Street with an additional panhandle portion measuring 37.5 feet by 30 feet, for a total area of 13,500 square feet. The site is presently vacant, having recently been cleared of an abandoned, vandalized single-family house. The property is zoned R-1. He indicated that the proposed action would subdivide the area of the existing two lots into six smaller lots measuring from 1,898 to 3,000 square feet each, with widths ranging from 25 to 29 feet. The new lot pattern would permit the construction of six single-family row houses, each with three or four bedrooms and two off-street parking spaces. He stated that the site is located in the University Mound residential area, an area developed with single-family houses of varying ages. Older houses typically are detached, but houses constructed in the past twenty years have been row houses such as those proposed. Other lots in the subject block measure from 1,750 to 4,540 square feet each, with widths ranging from 25 to 50 feet. In conclusion, he stated that the City Planning Code generally requires a minimum lot width of 25 feet and minimum lot area of 2,500 square feet, except that for lots within 125 feet of a corner the minimum lot area is 1,750 square feet.

Dean L. Macris, Director of Planning, recommended the adoption of a draft resolution which had been prepared with the following resolve:

> "THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the subdivision of Lots 1 and 2 of Assessor's Block 5966, as set forth in the tentative maps submitted with the referral, is consistent with the Master Plan; provided, however, that the street shall be planted with street trees according to specifications of the Department of Public Works."

Commissioner Fleishhacker asked if proposals to split two lots into six lots have always come before the Commission for consideration. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), replied that the new Subdivision Ordinance provides that any subdivision involving the creation of four or more lots must be the subject of a public hearing before the City Planning Commission. Following the public hearing, the City Planning Commission must make a recommendation for transmittal to the Director of Public Works.

No one was present in the audience to be heard on this matter.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7365.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, August 28, 1975.

The City Planning Commission met pursuant to notice on Thursday, August 28, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Sidney Shaw, Planner IV; Alec Bash, City Planning Co-ordinator; Alan Billingsley, Planner II; Ralph Gigliello, Planner II; Michael Johnstone, Architectural Design Draftsman; James Sturgeon, Architectural Design Draftsman; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

1:00 P.M. - FIELD TRIP

Members of the Commission and Staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on September 4, 1975.

2:15 P.M. - 100 LARKIN STREET

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that a public hearing was being held in City Hall on the preliminary proposal for the 1976 Community Development Program and Housing Assistance Plan; and he indicated that he intended to be absent from a portion of the Commission's meeting to attend that hearing.

The Director distributed a memorandum on "Procedures and Funding Strategy for implementing the Proposition J Charter Amendment" which established an Open Space Acquisition and Park Renovation Fund. He stated that he would be willing to respond to any questions which might be raised by members of the Commission after they have had an opportunity to read the memorandum.

The Director advised the Commission that a cease and desist order had been sent to Pets Unlimited at 2343 Fillmore Street ordering that their barking dog noise problem be abated. He indicated that the staff had been advised that the organization intends to comply with the order.

R75.42 - ENCROACHMENT PERMIT FOR SUBSURFACE COMMUNICATIONS SYSTEM AT NORTH POINT AND TAYLOR STREETS.

Alec Bash, City Planning Co-ordinator, reported on this matter as follows:

"The proposal is to occupy two subsurface street areas, on North Point and Taylor Streets, for communications cables to serve Cost Plus Imports, and to occupy a portion of the south sidewalk area of North Point Street west of Taylor Street for a box for access to the cables. The cables would be within conduit, and would provide an internal private telephone system for Cost Plus.

"The Northern Waterfront Transportation Systems Plan, a portion of the adopted Northern Waterfront Plan, calls for extension of the Powell Street cable car system northward along Taylor Street, with the turntable in the proposed pedestrian plaza at Fisherman's Wharf. In order to accommodate this extension, the communications cable should be at least four feet below the surface of Taylor Street; this condition has been agreed to by the project sponsor."

No one was present in the audience to be heard on this matter.

Dean L. Macris, Director of Planning, recommended that the Commission find that the Encroachment Permit would not affect the Master Plan provided that any cables under Taylor Street are buried at least four feet below the street's surface in order to accommodate future extension of the Powell Street cable car system.

Commissioner Porter asked who would pay for the installation of the cables. The Director replied that the costs for installation of the cables would be borne by Cost Plus Imports.

Commissioner Rueda asked if the application would have to be approved by other City agencies. Mr. Bash replied that the application would have to be reviewed and approved by the Public Utilities Commission and the Department of Public Works.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the granting of an Encroachment Permit for a subsurface communications system at North Point and Taylor Streets, as indicated on the map entitled "Proposed Underground Cable for Cost Plus", does not affect the Master Plan, provided that any cables under Taylor Street are buried at least four feet below the street's surface in order to accommodate future extension of the Powell Street cable car system.

STATUS REPORT ON DEPARTMENT OF CITY PLANNING WORK IN RELATION TO PARAPET ORDINANCE.

Michael Johnstone and James Sturgeon presented and summarized the report which is available in the files of the Department of City Planning. The introduction of the report reads as follows:

"Many experts agree that more personal injuries will be sustained during an earthquake from falling objects than from total building collapse. Inadequately reinforced parapets or other architectural and decorative elements constitute a substantial percentage of these dangerous missiles.

"In 1969, the Board of Supervisors responded to this potential hazard by passing Ordinance No. 112-69, known as the parapet ordinance, as an amendment to the Building Code. It requires correction of every 'parapet and appendage which could be a hazard to life and limb'. The Bureau of Building Inspection (BBI) is responsible for enforcement of the parapet ordinance.

"Although the ordinance became effective July 1, 1969, a lack of funding prevented BBI from hiring the necessary personnel to begin systematic enforcement of the ordinance. In 1973, funds were made available through Federal Revenue sharing. Inter-agency administrative problems then delayed hiring of a structural engineer and two inspectors to carry out enforcement until early 1975. A program was formulated early this year, and the first investigation notice was issued on June 30, 1975.

"In 1972, as enforcement of the ordinance became imminent, the Department of City Planning (DCP) considered the effect it could have on the visual quality of the city. In January 1974 Report No. 2, 'San Francisco Parapet Ordinance', a background paper to preparation of the Community Safety Element, was presented to the City Planning Commission. This report examined possible effects and concluded there was high potential for negative impacts on the appearance of the city. It also set forth an outline program for action. On May 16, 1974, the City Planning Commission adopted Resolution No. 7181 expressing its support for the abatement of hazards posed by parapets and building appendages and also stating its desire to retain those parapets and appendages which are important to the visual character of San Francisco.

"In April 1975, through joint efforts of the American Institute of Architects, the Foundation for San Francisco's Architectural Heritage and the Department of City Planning, two architects were made available under the Federal CETA program to define and pursue a study to effect repair and preservation of important building elements. This parapet preservation study team has defined a classification of building appendages, investigated alternative means of preserving architectural elements, and developed preliminary cost projections for appendage repair, replacement or removal.

"One of the first products of this study will be a 'statement of concern' flyer which will explain the ordinance and state the case for preservation. The flyer will be sent to all cited building owners, and be available to the public in general. The team is also preparing a public information packet that will contain the classification of appendages, cost projections, and alternative architectural retention details. Procedures for review by DCP of required building modifications have been developed. These will be conducted simultaneously with the BBI enforcement procedures so as not to delay elimination of hazardous conditions."

The report also contains a classification of appendage types and comparative cost estimates for appendage removal, reinforcement, or replacement.

Commissioner Porter asked how the staff proposed to deal with buildings which have been designated as Landmarks. Dean L. Macris, Director of Planning, stated that the impact of the Parapet Ordinance

on landmark buildings had not yet been determined. However, if enforcement of the Parapet Ordinance begins to have a severe effect on the appearance of the City, he would formulate a recommendation for consideration by the Commission and transmittal to the Board of Supervisors. He indicated that he was as yet unable to propose any solution which would be entirely satisfactory.

Commissioner Ritchie stated that it was his opinion that the Parapet Ordinance constitutes a ridiculous infringement on the rights of property owners, particularly in view of the fact that older buildings are more difficult to maintain than newer structures. He remarked that property owners in San Francisco are already facing the prospect of expending great amounts of money to comply with the absurd requirements which were recently established by the State Fire Marshall. In addition, some property owners are being required by the City to undertake elaborate renovation of their sidewalk elevators. He questioned the extent to which the ornamentation on older buildings poses a real danger in case of an earthquake; and he indicated that he had been on top of a building on Market Street and had proved to his own satisfaction that the ornamentation on that building could not be dislodged. He noted that property assessments in San Francisco have recently been greatly increased; and he estimated that taxes paid by individual property owners in downtown San Francisco will be increased by a minimum of $5,000 this year. Under the circumstances, he felt that the Board of Supervisors was being extremely unfair to downtown property owners in requiring them to remove or replace the ornamentation on their buildings.

President Newman stated that the Board of Supervisors had adopted the Parapet Ordinance in the interest of the safety of people.

Commissioner Fleishhacker agreed with President Newman. However, he felt that the staff of the Department of City Planning should continue to investigate ways and means of ameliorating the negative impact of the Parapet Ordinance on the appearance of the City. If that approach proves to be ineffective, the Commission might consider making recommendations to the Board of Supervisors for modification of the Parapet Ordinance.

Commissioner Porter expressed her concurrence with the remarks which had been made by Commissioner Ritchie. She remarked that no one knows what will really happen in the event of a major earthquake in San Francisco; and she did not feel that enforcement of the Parapet Ordinance, which will result in extraordinary amounts of money having to be spent by individual property owners, could be justified on the basis of safety.

President Newman asked the staff to provide the Commission with information relating to the cost of strengthening ornamental features on specific buildings. In the meantime, he felt that people should be made aware that the Parapet Ordinance is in effect and that it is being enforced so that they will know that they are assuming a liability when they buy buildings with parapets or other ornamental appendages.

At 3:05 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 3:15 p.m. and proceeded with hearing of the remainder of the agenda.

DR75.9 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 429752 FOR AN 18-UNIT APARTMENT BUILDING PROPOSED FOR CONSTRUCTION AT 4050 - 17th STREET.

Alan Billingsley, Planner II, advised the Commission that the subject building permit application had been filed prior to December 18, 1973. Therefore, it was not subject to the interim residential zoning controls. The proposed building would provide a front setback of 12 feet, an average rear yard dimension of 57 feet, and 56 percent building coverage. However, the proposal would not conform with the interim residential controls in two regards: 1) the front setback would be 3 feet short of the 15 feet which would be required by those controls and 2) an uncovered parking area would extend into the rear yard, a feature which would not be permitted under the interim controls. An Environmental Impact Report for the proposed project was certified by the Planning Commission on July 31, 1975; and Sue Hestor, President of the Eureka Valley Promotion Association, had requested that the discretionary review of the building permit application be held. At previous hearings regarding the project, in letters, and in discussions with neighborhood representatives, the following concerns had been expressed:

1. That the scale and facade appearance of the proposed building would be out of character with the immediately surrounding Victorian Buildings;
2. That the building as proposed would require the elimination of windows near the side property line of the adjacent single-family dwelling at 4048 - 17th Street.
3. That the project would require the removal of a major black walnut tree located near the center of the site; and
4. That the inclusion of the uncovered parking area at the rear of the site would have a negative aesthetic impact on the surrounding properties.

Mr. Billingsley stated that the staff of the Department of City Planning had met with representatives from the neighborhood and with the representatives for the developer and had prepared a schematic alternative proposal which responded to some of the concerns which had been expressed. That schematic alternative proposal had been found to be acceptable by the developer. Mr. Billingsley continued his report on the present status of the project as follows:

"1. A redesign of the facade has been proposed which would be more compatible with the surrounding Victorian buildings. Through the introduction of balconies and variations in wall surfaces, a more intricate facade has been achieved which would be more compatible with surrounding buildings. Wood shingles would cover the facade from the ground up, wood railings would be used on the balconies, and the windows and doors would be dark anondized aluminum. The 12-foot setback area would be substantially landscaped to soften the appearance of the facade and 3 or 4 street trees would be installed.

"2. Two major bay windows located near the side property line of the house at 4048 17th Street could be retained through a redesign of the building to include a sideyard. Floor area and dwelling units lost by the provision of the sideyard could be compensated for through the extension of the building toward the rear of the property. The parking garage below the proposed sideyard would be covered. Since we have only schematic plans here, special attention would be given to the design and materials used on all exposed wall surfaces in the final design.

"3. Staff consulted a tree expert to determine the feasibility of retaining the black walnut tree. Because of the size of the tree and its extensive root structure, preserving the tree would require that this root structure not be disturbed within a radius of approximately 20 feet of the tree. Because of the tree's location near the center of the site, its retention would require a substantial reduction in the size and number of dwelling units which could be developed on this site. This was found to be unacceptable to the developer.

"4. The uncovered parking area within the rear yard could be decked over and covered. However, this would increase the size of the garage placing it in a higher Building Code category. This would require additional expense to the developer in the construction of the garage to achieve a higher fire rating. The developer has found this alternative to be unacceptable. Alternatively, an area located above the 18-foot retaining wall at the rear of the parking area could be heavily planted, thus screening all parking from surrounding properties."

President Newman asked if the alternate plans would provide light and air for the windows in the adjacent building to the east. Mr. Billingsley replied that the proposed sideyard would provide air and some light for the windows. While the windows would not enjoy a great amount of sunlight, they would not have to be closed as would have been the case if the buil ding proposed in the original plans had been constructed.

Commissioner Fleishhacker asked if the developer had been able to achieve a workable floor plan under the revised building envelope. Mr. Billingsley replied that detailed plans had not yet been prepared; however, the developer's designer felt that a workable floor plan could be developed.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that it was the recommendation of the Director of Planning that the building permit application be approved subject to the following conditions:

"1. The proposed building shall be redesigned in general conformity with schematic plans prepared by the staff of this Department dated August 28, 1975, labeled 'Exhibit A', and on file with this application. This design shall include the provision of a sideyard above partially enclosed parking garage beginning at a point approximately 50 feet from the front property line and extending to the rear of the property. This sideyard shall allow the continued exposure of the two bay windows on the adjacent property to light and air and shall be approximately 10 to 15 feet in width. The facade shall also be redesigned in general conformity with that shown in 'Exhibit A', to provide a more appropriate facade which would be compatible with the adjacent Victorian buildings. Special attention shall be given to design of all exposed exterior wall surfaces.

"2. Compensation for floor area lost through the provision of a sideyard may be achieved through extension of the proposed building to the rear of the property. In no case, however, shall this extension be greater than 22 feet as measured from the rear of the building as shown in the original drawings submitted with the subject building permit application. In no case shall the floor area or number of dwelling units achieved be greater than that shown in those drawings.

"3. Wood shingles shall be at the predominant building materials used on the front facade. Materials used on other exposed surfaces of the building and finishes shall be approved by the Department of City Planning before approval of any building permit application.

"4. A landscaping plan shall be submitted to the Department of City Planning and approved prior to approval of the building permit application. These plans shall include the provision of street trees, substantial landscaping of the 12-foot front setback area, and landscaping along the rear property line to screen the rear yard parking from neighboring properties."

Denis Natali, the applicant, stated that he was disturbed about the fact that the Commission had rescinded an action which it had previously taken to deny the request for discretionary review of the proposed project; and he indicated that he had not been notified that the matter would be reconsidered. The Secretary stated that that action had been taken on July 31, 1975, following certification of the Environmental Impact Report for the project by the Commission; and it had been anticipated that the developer would be present at the meeting because the Environmental Impact Report was being considered.

Mr. Natali stated that he had filed his building permit application almost two years ago; and, because of delays caused by the Department of City Planning, he was uncertain as to whether he could not afford to revise the plans and construct a building on the site.

President Newman asked Mr. Natali if he found the alternative schematic proposal which had been prepared by the staff of the Department of City Planning to be acceptable. Mr. Natali replied that he found the staff's proposal to be acceptable with certain reservations. He indicated that he did not know whether the revised

building would be more costly to construct than the one originally proposed. If not, he would be prepared to follow the staff's suggestion. However, he did object to the condition which would require that landscaping be provided on the deck covering the parking garage in the sideyard area. Although balconies had not been shown on the plans for the building which he had originally proposed, he assured the Commission that he had intended to provide balconies in any case since he did not wish his building to have a boxy appearance like other buildings in the area.

President Newman remarked that it seemed to him that the solution which had been recommended by the staff of the Department of City Planning was reasonable; and he suggested that the developer should attempt to proceed in accordance with the staff's recommendation. If the alternate proposal should prove infeasible, further consideration could be given to the matter by the Commission.

Frances Watson, resident of the neighborhood, submitted letters from Mrs. Molly Owen, 88 Vulcan Stairway. Don Asher, 46 Broad Court, and Scott Blakey, 35 Douglass Street, in opposition to the proposed building. She indicated that those individuals were opposed to the project because of the additional traffic congestion which it would bring to the area.

President Newman noted that the zoning of the subject property would allow construction of more dwelling units than were being proposed.

Jude Laspa, representing the Eureka Valley Promotion Association, remarked that the Environmental Impact Report for the proposed project had had to be rewritten and resubmitted to the Department of City Planning seven times; and it was his opinion that the applicant himself had been responsible for the delays which he had complained about earlier. While he was pleased that Mr. Natali had planned to add embellishments to the building which he had originally proposed, he remarked that those embellishments should have been indicated on the plans so that residents of the neighborhood could have been aware of his intent. He stated that he regarded the changes in the building which had been proposed by the staff of the Departemnt of City Planning to be a bare minimum given the size of the project. He advised the Commission that the total of number of units presently existing in the subject block equals the density which is permitted by the R-4 zoning of the properties; and he felt that it would be extremely bad planning practice to allow that density to be exceeded. While the alternate plan which had been recommended by the staff of the Department of City Planning would be better than the plan which had originally been submitted, the members of his organization would prefer to have a project which would comply with

the interim residential controls. Of particular concern was the uncovered rear yard parking. While he acknowledged that the uncovered parking would have a visible impact only on dwellings further up the hill, he pointed out that adjacent dwellings would be affected by noise and fumes from the open parking lot.

Mr. Natali emphasized that his project is not governed by the interim residential controls since the building permit application was filed before those controls went into effect.

Sue Hestor, President of the Eureka Valley Promotion Association, expressed concern about the possibility that the side yard of the revised building, which would not extend to the street, might create a security problem for the adjacent residence because the windows of that residence would face the yard. Mr. Billingsley replied that he felt that the windows would be more secure than they are at the present time.

President Newman advised the applicant that any action taken by the City Planning Commission on the matter could be appealed to the Board of Permit Appeals.

Mr. Natali stated that his designer had indicated that he felt that the revised proposal would be feasible; but he did not yet know what additional cost, if any, might be generated by the revised proposal. In any case, he continued to object to the requirements for landscaping on the deck covering the parking garage in the side yard area, particularly in view of the fact that he might want to use the roof as a sun deck.

Commissioner Finn noted that the side yard area would receive very little sunlight; and, as a result, he doubted that plants would grow well in that area. Therefore, he moved that the requirement for landscaping of that area be deleted from the draft resolution. The motion was seconded by Commissioner Rueda. When the question was called, the Commission voted unanimously to delete the last sentence from Condition No. 4 of the draft resolution. Subsequently, it was moved by Commissioner Rueda and seconded by Commissioner Fleishhacker that the amended draft resolution be adopted.

Douglas Holmes, representing the Vulcan Stairway Association, believed that the design of the proposed building would precipitate further changes in the character of the neighborhood.

Judith Hoyem, 440 - 17th Street, asked that the placement of windows in the new building be arranged so that the privacy of the adjacent residence would be protected.

Karen Holmes, also representing the Vulcan Stairway Association, objected to the proposed building because it would bring more people into the neighborhood.

Roy Ettinger, a resident of States Street, asked if plans for the proposed building had been reviewed and approved by the Traffic Engineering Bureau of the Department of Public Works. Mr. Steele replied that comments from the Department of Public Works regarding the layout of the parking spaces in the building had been included in the Environmental Impact Report for the project; and he indicated that the arrangement of the parking spaces would not be affected by the revised proposal.

Commissioner Ritchie stated that he was sympathetic to the applicant's problems. However, when the matter had previously been before the Commission, he had remarked on the unattractive appearance of the proposed building; and he did not feel that the changes in the facade being proposed by the staff of the Department of City Planning would significantly improve the appearance of the building. In his opinion, the building would be too harsh and too bulky; and he intended to vote against the motion and to wait and see if the building in final form looks as bad as it looks on paper.

When the question was called, the Commission voted 6 to 1 to adopt the draft resolution, as amended, as City Planning Commission Resolution No. 7366 and to approve Building Permit Application No. 429752 subject to the conditions which had been recommended by the Director of Planning, as modified.

EE74.128 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR BANK OF AMERICA DATA CENTER; BLOCK BOUNDED BY MARKET, ELEVENTH, MISSION AND TENTH STREETS.

Ralph Gigliello, Planner II, summarized the draft Environmental Impact Report for the proposed project and responded to questions raised by members of the Commission.

Edward Bassett of Skidmore, Owings, and Merrill, architects for the Bank of America, also responded to questions raised by members of the Commission.

No one else was present in the audience who wished to be heard on this matter.

After further discussion, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7367 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated August 28, 1975, concerning Bank America Data Center, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission, before acting on the project itself under DR75.8, does hereby certify that it has reviewed and considered the information contained in said Final Environmental Impact Report."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

DR75.8 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 448746 FOR 22 STORY BANK OF AMERICA DATA CENTER; WESTERN HALF OF BLOCK BOUNDED BY MARKET, ELEVENTH, MISSION AND TENTH STREETS.

Ralph Gigliello, Planner II, noted that the overall project proposed for the block bounded by Market Street, Eleventh Street, Mission Street and Tenth Streets had been described during the course of the public hearing on the draft Environmental Impact Report which had just been certified by the Commission; and he emphasized that the discretionary review would cover the building permit application for only the first phase of the project which would be located on the western half of the block. The first phase would be composed of a seven story rectangular base and a single 15 story octagonal tower which would provide 1,374,820 gross square feet of floor area to accommodate 6,660 employees.

Don Ravenes read and submitted the following prepared statement:

"I have read the report and offer the following comments on it. First, the purpose of the building seems well-justified from an economic standpoint in benefits to to the Bank's operation, from a community standpoint in providing increased employment to unskilled labor in San Francisco and an improved tax base for San Francisco, and

it is to be located in an ideal area convenient to mass transit while aiding the restoration of Market Street.

"Second, the report appears to show that the buildings environmental impact is within the guidelines established and conforms to city code. It states that wind and sun conditions will be impacted but not seriously, some views will be blocked but the views are not scenically important, that various agencies feel they can service the building's needs, that earthquakes shouldn't be a problem, that, by using low-powered shuttle buses, parking and street congestion would be minimized, that modern air-conditioning techniques and window design will minimize heat loss and power needs,and finally, that use of an octagonal design will enable bulk requirements to be met. In summary, it will be the equal of other new buildings in San Francisco.

"But is this enough? What of human needs and future needs? Has the Bank of America attempted any leadership in environmental concerns?

"There is much discussion in the report of strong winds and shadows, but no mention of any attempt to use wind and solar power for space heating or emergency power. P. G. & E. says it can meet power needs, and yet is pushing nuclear fission to do it. If the moratorium succeeds, will the Bank's power needs still be met, or do we mortgage our children's future with nuclear wastes because proper design care wasn't taken.

"The report discusses air conditioning techniques and power requirements, but doesn't ask whether air-conditioning is a requirement in one of the world's best naturally air-conditioned cities. With windows that open for cross-ventilation, fresh air can be provided as well as reducing the need for powerful lighting.

"The employees spend 10 hours out of 16 working hours, commuting to and working in the building. What of their needs? Is concreting 5 acres and producing a building with limited windows (probably in executive offices) producing an environment pleasant enough for 12,000 people to be in, considering the surrounding area is run down and depressing, if not dangerous, to walk in? Would a courtyard be better than a few trees on the street and a yet to be designed roof garden?

"As to commuting, the report discusses the highway load, but doesn't discuss air pollution from that many cars. The Bank is willing to build a parking lot and provide buses, instead of applying pressure on the city to provide plans for fare reductions on mass transit subsidized by Bank. The shuttle service is given to employees that drive, but other who use buses from the East Bay or Marin have to transfer and pay their extra fares. Space is provided for senior staff in building, while 2nd and 3rd shift employees are shuttled from dangerous night-time areas. Why should senior staff be encouraged and allowed to pollute while the average citizen is encouraged to take mass transit? They should not have priority in the general community.

"In conclusion, the building appears to be designed to code and will be superficially beneficial to the city, but it is not designed for the future health and welfare of the community and the Bank's employees, and it may end up unusable because it didn't allow for different energy solutions.

"Build it, but change its design. The Bank has a marvelous opportunity to show environmental leadership. Pressure vendors to provide recyclable bottles. Pressure the city to provide adequate sewage treatment. Treat air, water, and minerals kindly. Without them, it won't matter how many checks are processed."

Commissioner Mellon observed that the statement which had been read by Mr. Ravenes appeared to be more pertinent to the Environmental Impact Report than to the discretionary review of the project. Mr. Ravenes replied that he had been present during the public hearing on the draft Environmental Impact Report; however, he felt that his comments were more appropriate to the discretionary review.

No one else was present to be heard on this matter.

Dean L. Macris, Director of Planning, made the following statement:

"In the course of preparation of the EIR for this project, as is customary with major buildings, wind tunnel tests were conducted. These tests showed that the proposed Bank of America Data Center would contribute to the turbulence in some places on Market Street under certain wind conditions.

"Wind patterns, however, are influenced not only by the individual structure, but by the nature of surrounding development. In order to provide information for use with respect to other properties, I have asked the Bank of America and the Bank of America has agreed to have prepared, at the Bank's expense, a preliminary wind tunnel analysis. This analysis would cover the surrounding area with special regard to feasible building configurations for the site opposite the Data Center on the north side of Market Street. Such analysis would help determine design guidelines for any new construction on other sites. The Bank has agreed to make available up to $5,000 for this study."

Commissioner Finn requested that the results of the wind studies be indicated on a compass rose so that the information could be easily understood by the general public.

Commissioner Fleishhacker asked if the Commission would have the right to tell owners of surrounding properties that they must construct new buildings in a certain way if the wind tests to be conducted by the Bank of America should indicate that particular types of construction on those properties might cause wind problems. The Director replied that the matter would have to be researched. However, since the Bank of America was willing to pay for the studies, he felt that it would be desirable for the Department of City Planning to have the information which the studies would provide. Once the information is available, the Commission may wish to exercise its discretionary authority to affect the design of new buildings proposed for the area.

Commissioner Fleishhacker observed that the Commission had never undertaken discretionary reviews because of wind problems in the past. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), replied that the results of wind tunnel tests had brought about a change in orientation of a building proposed at 2nd Market. He then recommended that the building permit application for the project be approved subject to ten specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Porter, noting that Condition No. 7 of the draft resolution specified that all plant species are to be selected in consultation with and approved by the staff of the Department of City Planning, asked if the Department of City Planning has a landscape architect on its staff. The Director replied in the affirmative

Commissioner Ritchie noted that the model of the project which was on display in the meeting room indicated that a brick sidewalks would be provided on the Mission Street frontage of the property; yet, Condition No. 4 of the draft resolution specified that brick sidewalks should not be installed on Mission Street. He felt that brick sidewalks are attractive; and he questioned why the staff had recommended that brick sidewalks not be permitted on Mission Street.

Mr. Gigliello replied that sidewalks are public property; and it was the opinion of the staff that special sidewalk treatment should be permitted only to call attention to specific buildings.

After further discussion it was moved by Commissioner Porter and seconded by Commissioner Fleishhacker that Condition No. 4 be deleted from the draft resolution.

President Newman stated that he agreed with the staff that sidewalks are an integral part of the fabric of the street and that abutting property owners should not be allowed to treat the sidewalks however they wish.

When the question was called, the Commission voted 5 to 2 to delete Condition No. 4 from the draft resolution. Commissioners Fleishhacker, Mellon, Porter, Ritchie, and Rueda voted "Aye"; Commissioners Finn and Newman voted "No".

Commissioner Ritchie, noting that the seven story rectangular base of the building would have few windows, suggested that it might be desirable for the Commission to require that textured panels be used for those walls in order to give them more visual interest.

Edward Bassett, representing Skidmore, Owings, & Merrill, architects for the applicant, displayed a scale model of the type of paneling which would be used for the walls of the building and indicated that he believed that the recesses in the panels would provide for an interesting interplay of light and shadows. He then remarked on Condition No. 5 of the draft resolution which specified that street trees should be provided along Eleventh Street. He stated that the sidewalk along Eleventh Street is quite narrow; and he believed that any street trees which might be planted on that street would be nothing more than "lollipops". It was his recommendation that planting of ivy which, would grow up the west wall of the building, would be more appropriate than street trees.

The Director stated that he had no objection to the planting of ivy along Eleventh Street rather than the planting of street trees. After discussion it was moved by Commissioner Mellon, seconded by

Commissioner Ritchie, and carried unanimously that Condition No. 5 of the draft resolution be amended to provide that appropriate landscaping should be installed along the base of the building on Eleventh Street.

Commissioner Ritchie then inquired about the distance between the tower which will be constructed during the first phase of the project and the tower which will be constructed during the second phase. Mr Bassett replied that the towers will be only 40 feet apart; however, the walls which will face each other will contain elevator cores and will be blank.

President Newman asked if the conditions in the draft resolution, as modified, were acceptable to the applicant. Mr. Bassett and a representative of the Bank of America replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the draft resolution, as modified, be adopted as City Planning Commission Resolution No. 7368 and that the building permit application be approved subject to the conditions contained in the draft resolution, as amended.

R118.75.12 - PUBLIC HEARING ON TENTATIVE MAP FOR 7-UNIT CONDOMINIUM SUBDIVISION AT 101 STATES STREET.

Ralph Gigliello, Planner II, described the subject property which is an irregular parcel with a depth of 150 feet, a 50-foot frontage on States Street, and a 75-foot rear lot line for a total area of 10,340 square feet. The portion of the site fronting on States Street is zoned R-2; and the remainder of the site is zoned R-4. The applicant proposed a seven-unit condominium subdivision. Five of the proposed units would contain 2-bedrooms and two would contain 4-bedrooms. A common garage would provide parking for seven cars. Common open spaces would be retained to include a grove of mature trees on the western portion of the site.

No one was present in the audience to be heard on this matter.

Mr. Gigliello stated that it was the recommendation of the Director of Planning that the condominium subdivision be approved as consistent with the Master Plan subject to two specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by the staff were acceptable to the applicant. Roy Ettinger, architect for the applicant, replied in the affirmative and indicated that he had advised his client to file a statement in the Recorder's Office indicating that his sales program would promote affirmative action in housing as required by Condition No. 1 of the draft resolution.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7369 and that the tentative map for the seven-unit condominium subdivision be approved as consistent with the Master Plan subject to the two conditions which were contained in the draft resolution.

R118.75.13 - PUBLIC HEARING ON TENTATIVE MAP FOR 43-UNIT CONDOMINIUM CONVERSION OF PACIFIC HEIGHTS PLACE, AT THE SOUTHEAST CORNER OF VALLEJO AND FILLMORE STREETS.

Alec Bash, City Planning Coordinator, stated that the subject property is occupied by a 43-unit apartment building which was completed in March, 1975; and the applicant was proposing to convert the rental building into condominiums with sales prices ranging from $48,000 to $86,000.

President Newman read the following letter which had been received from Ralph L. Coffman of the Pacific Heights Association:

> "The Board of Directors of Pacific Heights Association wish to express our approval on the conversion of Pacific Heights to a 43-unit condominium at the Southeast corner of Vallejo and Fillmore Streets.
>
> "We would not approve the conversion unless the following conditions are complied with:
>
> 1. uniform window treatment, i.e. light colored draperies installed.
> 2. outdoor planting, i.e. ivy or similar over the walls to soften the outside structure."

Peter Sachs, representing the owners of the subject building, stated that window treatment in the building is uniform; and he indicated that the site has been landscaped.

Commissioner Fleishhacker asked if the building is presently occupied.Mr. Sachs replied in the affirmative. In reply to a further question raised by Commissioner Fleishhacker, Mr. Sachs stated that all of the tenants of the building had been notified by the staff of the Department of City Planning of the condominium proposal.

Mr. Bash confirmed that the Department of City Planning had sent notices to all tenants of the building and to all property owners within a 200-foot radius of the site. He stated that there were two vacancies in the building when the application for the condominium conversion was filed.

Commissioner Porter asked if all of the apartments have similar draperies at the present time. After Mr. Sachs had replied in the affirmative, Commissioner Porter remarked that it would probably not be possible to require that similar draperies be used in all of the units once the individual units have been sold. Commissioner Fleishhacker agreed that it would probably be impossible to establish such a requirement.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that it was the recommendation of the Director of Planning that the tentative condominium subdivision map be approved as consistent with the Master Plan subject to three specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission.

Commissioner Rueda, noting that the draft resolution specified that none of the units to be converted are part of the low- or moderate-income housing stock of the City, stated that it was his opinion that units selling for $48,000 should be considered to be moderate income housing.

Mr. Bash stated that the determination as to whether any units in the proposed condominium subdivision are presently for low- or moderate-income households had been made as follows:

"1) The least expensive unit is Apartment No. 309, renting at $330.00/month.
2) Using the figure of 25% of gross monthly income as the maximum spent on housing, the concommitant annual income is $15,840.
3) The U. S. Department of Housing and Urban Development has set $15,550 as the median income for a family of four in the San Francisco Standard Metropolitan Statistical Area.

4) The Subdivision Code defines moderate income as up to 120% of median income, which would be $18,662 for a family of four.
5) Apartment No. 309 is a one-bedroom apartment. Particularly because the question is whether the unit falls above the moderate income range, the Department of City Planning has determined that it is unlikely the unit is occupied by a family exceeding two persons. Please refer to Table 55, Second Count, 1970 U.S. Census for San Francisco.
6) For a family of two HUD adjusts the median income by 20%, thus the maximum income for a moderate-income family of two would be $14,928.
7) $14,928 is less than the $15,840 determined to be the comparable income for the one-bedroom Apartment No. 309.
8) For all other units the disparity is even greater. Therefore, it is concluded that there are no units in this project which are considered to be low-or moderate-income."

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Sachs replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7370 and that the tentative condominium map be approved as consistent with the Master Plan subject to the conditions which were contained in the draft resolution.

R118.75.15 - PUBLIC HEARING ON TENTATIVE MAP FOR A 6-LOT RESUBDIVISION, MIRA GLEN, EAST SIDE OF VALLETTA COURT AT MALTA DRIVE.

Ralph Gigliello, Planner II, stated that the applicant proposed to resubdivide seven existing lots measuring from approximately 2,500 to approximately 4,500 square feet in area into six larger lots in order to bring the size of the lots into conformity with the City Planning Commission's prior approval of a planned unit development which included the subject site. The approval stated that the property could be subdivided into individual lots, in no case less than 33 feet wide and 2,640 square feet in area and developed with duplex units. The newly created lots would measure from approximately 3,400 to 4,300 square feet, with widths in excess of 33 feet. No one was present in the audience to be heard on this matter. No correspondence had been received.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that it was the recommendation of the Director of Planning that the proposed resubdivision be approved as consistent with the Master Plan.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7371 be adopted and that the tentative map for the six lot resubdivision be approved as consistent with the Master Plan.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, September 4, 1975.

The City Planning Commission met pursuant to notice on Thursday, September 4, 1975, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; James J. Finn, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Sidney Shaw, Planner IV; Wayne Rieke, Planner IV (Zoning); Alec Bash, City Planning Coordinator; Robert Feldman, Planner II; Carl Ness, Planner II; Gary Craft, Planner I; and Lynn E. Pio, Secretary.

Bill Cooney represented the San Francisco Chronicle, Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of August 7, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, distributed copies of the Department of City Planning's Annual Report for the fiscal year 1974-75.

The Director advised the members of the City-Wide Comprehensive Plans Committee (Commissioners Newman, Mellon, Ritchie) that the meeting scheduled for next Thursday will be cancelled.

The Director reported that the Mayor had concluded his public hearing on the preliminary proposal for the 1976 Community Development Program & Housing Assistance Plan. The City Planning Commission is scheduled to consider the draft Environmental Impact Report/Environmental Impact Statement on these matters on October 9.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on tests which had been undertaken by staff members from the Department of City Planning and the Department of Public Health in a residential building adjacent to the new Pets Unlimited facility at 2343 Fillmore Street; and he indicated that the results of the tests had verified that the sound of barking dogs can be heard above the background noise level. If the violation is not corrected

by September 22, the Commission may be requested to revoke the Conditional Use Authorization for the animal facility. In addition, the noise violates the City's Noise Ordinance; and a hearing will be held on September 16 concerning a citation which was issued by the Department of Public Health, which administers the Noise Ordinance. He noted that Condition No. 2 of Resolution No. 6868 which had been adopted by the Commission on July 6, 1972, to approve the conditional use for Pets Unlimited had specified that "said building shall be converted in such a manner that the average sound level within the building will not increase the average exterior background noise level at any given time at the property line"; and he asked the Commission for its interpretation of that language. After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that Mr. Steele be advised that the language quoted from Condition No. 2 of Resolution No. 6868 was intended to specify that the building would be designed so that no sound of dogs barking within the building could be heard outside the building.

Commissioner Porter remarked that she had been consistently opposed to allowing Pets Unlimited to occupy the building on Fillmore Street. However, when other members of the Commission had voted to issue the Certificate of Occupancy to Pets Unlimited, she felt that their action had been taken on the basis of testimony given by an inspector from the Department of Public Health to the effect that dogs barking inside of the building would not be heard outside of the building. Mr. Steele replied that the inspector from the Department of Public Health had stated that it was his opinion that no nuisance would be created; however, the inspector had also stated that no guarantee could be given that no noise problems would develop until such time as the facility was in operation.

President Newman, noting that the Cease and Desist Order which had been issued by the Department of City Planning had requested Pets Unlimited to respond within ten days with information indicating what steps were to be taken to correct the violation, asked if that deadline had been met. Mr. Steele replied in the negative but indicated that Pets Unlimited had requested that further tests be conducted; and these tests had been conducted last Saturday morning.

At this point in the proceedings, Commissioners Ritchie and Rueda arrived in the meeting room and assumed their seats at the Commission table.

R74.20 - SALE OF PUBLIC LAND AT HELENA & ELMIRA STREETS, LOT 67 IN ASSESSOR'S BLOCK 5369.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The property proposed to be sold, Lot 67 at the southeast corner of Assessor's Block 5369, was formerly at the northwest corner of the intersection of Helena and Elmira Streets. The lot originally measured 25 by 100 feet, but a triangular corner portion of 500 square feet, now Lot 68, was used to realign Helena and Elmira Streets after the Southern Embarcadero Freeway bisected the area. Lot 67, the remainder of the acquired property, is presently vacant, with an area of 2,000 square feet.

"The land to the north of the freeway, including the subject lot, is within an M-1 (Light Industrial) district, while the area to the south is within an R-1 (One-Family Residential) district. Three dwellings and a commercial use are on the Helena Street cul de sac, which has its access from Elmira Street.

"The Residence Element of the Master Plan, in the Generalized Residential Land Use Plan, designates the area of this property as Commercial and Industrial. That Element, in Objective II, Policy 2, calls for giving priority in the disposition of surplus land to uses that best meet public needs. The property would not, however, be useful either for public facilities or to meet other public objectives, nor would leasing of this parcel of land be a desirable alternative."

No one was present in the audience to be heard on this matter.

Dean L. Macris, Director of Planning, recommended that the sale of the property be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the Director be authorized to report that the sale of Lot 67 in Assessor's Block 5369 is in conformity with the Master Plan.

CU75.37 - 1300 COLUMBUS AVENUE, EAST LINE, BETWEEN BEACH AND NORTH POINT STREETS. REQUEST FOR AUTHORIZATION TO MODIFY AN EXISTING HOTEL BY CONVERSION OF GROUND LEVEL PARKING SPACES TO A 175-SEAT BAR HAVING DIRECT ACCESS TO BEACH STREET; IN A C-2 DISTRICT AND IN NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 2.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is developed with a Holiday Inn Hotel with 339 rooms and 239 off-street parking spaces. He indicated that the applicant's proposal was to convert a portion of the lower floor parking and service area of the existing hotel into a 175-seat bar with access to Beach Street across a Southern Pacific easement along the northeast property line. The proposed bar would reduce parking in the building to 216 spaces. He indicated that the 339-room hotel has a requirement of 42 off-street parking spaces and the proposed bar of 3800 square feet of occupied floor area would have a requirement of 19 off-street parking spaces. The combined uses would have a total requirement of 61 off-street parking spaces.

Gordon McAdam, representing the architectural firm which had been hired by the applicant, indicated that he was present to answer any questions which might be raised by members of the Commission.

No one else was present to be heard on this matter.

Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to two specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. McAdam replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7372 and that the application be approved subject to the conditions which had been recommended by the staff.

CU75.38 - 2665 - 28th AVENUE, WEST LINE, 400 FEET SOUTH OF VICENTE STREET.
REQUEST FOR AUTHORIZATION TO CONSTRUCT A CLASSROOM BUILDING FOR USE WITH AN EXISTING DEVELOPMENTAL DAY CARE CENTER PRIMARILY FOR DEVELOPMENTALLY DISABLED CHILDREN; IN AN R-1 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 200-foot frontage on 28th Avenue and a depth of 75 feet for a total area of 12,500 square feet. The site is the southeast portion of a 7-acre parcel which is owned by Edgewood Homes, Inc. The proposal was to construct a two-classroom, 24 by 48 foot one-story building of redwood to be used as a developmental day care center for retarded children.

Ed Kenney, representing the St. Vincent de Paul Society Developmental Day Care Center, indicated that his organization currently occupies one cottage on 28th Avenue and serves 30 developmentally disabled children aged 2 through 7. The new buildings would be used for school activities while the existing college would be used for a home-like setting, which is especially needed for the younger children. No increase in the enrollment of the day care center is contemplated; however, the program of the center will be expanded to include weekend activities.

Helen Huggins, Director of the day care center, stated that she was present to answer any questions which might be raised by members of the Commission.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to three conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. A representative of the applicant replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7373 and that the application be approved subject to the conditions which had been recommended by the staff.

ZM75.2 & ZM75.15 - OUTER SUNSET, AREA GENERALLY BOUNDED BY LINCOLN WAY, GREAT HIGHWAY, NORIEGA STREET, AND SUNSET BOULEVARD.
R-4 & R-3 DISTRICTS TO R-2 OR INTERMEDIATE DISTRICTS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is comprised of 690 lots, 80% of which are developed with one- or two-family dwellings. On the application, the applicants had stated that the purposes of the reclassification would be to:

"1. Preserve and protect low to moderate income housing.
2. Preserve family housing and encourage families to return and stay in the neighborhood.
3. Encourage the rehabilitation and renovation of housing.
4. Up-grade the Ocean Beach-Great Highway area.
5. Encourage resident-ownership of housing.
6. Create a stable neighborhood environment and encourage neighborhood commitment to the area.
7. Preserve the architectural character of the area.
8. Preserve and protect open space in front and rear yards.
9. Prevent overcrowding and related problems."

Mr. Steele remarked that the original application had requested that all of the R-4 and R-3 properties in the subject area be rezoned to R-2. However, on July 31, 1975, the Commission had initiated an additional application which would permit the consideration of intermediate districts. With regard to the proposal for reclassification of all of the properties to R-2, he felt that the following provisions of the City Planning Code were pertinent:

"Multiple dwellings of R-3 density are permitted in R-2 districts under the following provisions of the Planning Code: (1) as transitional uses where a parcel is located adjacent to or opposite a commercial district, in which case no conditional use approval is necessary; and (2) as a conditional use where there are existing R-3 density apartment buildings on both of the adjoining lots or where more than one-half of the R-2 frontage on the same side of the street on the same block is already occupied by R-3 density apartment buildings."

Mr. Steele emphasized that there is a great deal of diversity in the subject portion of the Sunset District; and he remarked that the character of the neighborhood has been changing since 1960. In 1960, 3800 of the buildings in the area were owner-occupied; and 1970, 3440 were owner-occupied. During the same period, renter occupancy increased from 1465 to 2254. Since 1960, 171 new buildings have been constructed in the area and 58 buildings have been demolished. A total of 93 dwelling units had been eliminated while 633 new dwelling units had been constructed.

Commissioner Rueda inquired about the number of buildings which are occupied by one or two families. Mr. Steele replied that 4,374 buildings were occupied by single families and 500 buildings by two families in 1960. In 1970, 4,025 buildings were occupied by single families and 766 buildings were occupied by two families.

Commissioner Fleishhacker noted that it appeared that more than one half of the street frontage on LaPlaya between Lincoln Way and Irving Street is developed to a density greater than R-2; and, if that block were rezoned to R-2, he wondered if the remaining properties in the block could be developed to R-3 standards. Mr. Steele replied that such development would be permitted by the City Planning Code.

Commissioner Ritchie, noting that he was concerned about the flight of families from the city to the suburbs, asked Mr. Steele if he had any statistics relative to the number of children in the area. Mr. Steele replied that the percentage of children in the area had risen from 31.5 percent in 1950 to 32.2 percent in 1960 but had declined to 25.7 percent in 1970.

Commissioner Rueda observed that the percentage of children has diminished throughout the country.

Dean L. Macris, Director of Planning, remarked that many of the homeowners in the subject neighborhood are no longer of child-bearing age; and, consequently, the decrease in the percentage of children did not necessarily indicate that people have been moving from the subject neighborhood to the suburbs.

Mr. Steele stated that the population of the subject area had risen from 25,356 in 1950 to 28,774 in 1960. However, the population had decreased to 27,721 in 1970.

Suzanne Ish, owner of property located at 4236 Lawton Street and one of the applicants, stated that she is also the President of the Tides End Community Association (TEKA). She indicated that she had purchased her home ten years ago when the neighborhood was clearly characterized as an area of single-family and two-family dwellings. However, during the past few years, a number of apartment houses have been constructed; and the people who live in those buildings come and go with little regard to the community. Whenever a "for sale" goes up on a single family house in the area, she fears that the building will be razed and replaced with a multiple-unit building; and, for that reason, she felt that properties in the neighborhood must be rezoned to R-2 immediately.

Commissioner Fleishhacker asked Mrs. Ish if she had been aware that properties in the neighborhood were zoned R-4 when she had purchased her house. Mrs. Ish replied in the affirmative but indicated that the number of apartment buildings which had been constructed at that time was not great; and those which did exist afforded a pleasing variety for the neighborhood.

Commissioner Porter remarked that Mrs. Ish obviously had not anticipated the "bulldozer" when she had purchased her home in the neighborhood. She then asked if Mrs. Ish had any idea of the prices which had been paid for buildings which have been razed for construction of new apartment buildings; and, when Mrs. Ish replied in the negative, Commissioner Porter stated that houses in her own neighborhood which have sold for as much as $34,000 have been demolished and replaced with apartment buildings.

A.R. Roderick, resident of one of the first apartment complexes built on LaPlaya and an active member of TEKA read and submitted the following statement:

"Since 1957, I have watched with interest, then with increasing concern, the great number of apartment houses being built in our area.

"The Outer-Sunset is now, in my view, super-saturated with these high-density, multi-unit structures. For the most part, they are of mediocre design, are of minimal construction quality, and not well maintained. Thank heavens, there are exceptions, but the good exceptions are NOT the rule. We are allowing to be constructed, now, our headaches and indigestions of the future.

"The proliferating multi-unit, high-density structures are working - and quite successfully - against the single-family and duplex homes that in the past have made our area attractive to growing families. Such housing works against the sense of community and civic identification and involvement essential to a healthy future for San Francisco.

"These apartment blockhouses do indeed block out reasonable views, do cast shadows - but not sunlight - into residential back yards, do make gardening and flower raising a thing of the past for home residents.

"Several of the apartment owners aren't too pleased with the mushrooming growth of the multi-unit, high-density structures. Their high-vacancy rate and high turn-over rate in the Outer Sunset cause the type of concern inherent to over-building; some units stand vacant for 3 months or more at a time and turn-over can be 90% to 100% a year.

"There really aren't vacant lots in our area but an R-2 ruling will help protect the single-family and duplex homes that are up for sale.

"Let's speculate for the benefit of San Francisco.

"Let's do all we can to retain something of the single-family residential character so essential to our city, do it by protecting the Outer Sunset."

Lucille Tennery stated that she has owned property on 48th Avenue near Lincoln Way for 13 years; and she indicated that she does not know the zoning of her property. She advised the Commission that she had been able to purchase her home with a small cash outlay; and she felt that there are many people like her who would enjoy living in the older houses in the area. She would not have chosen to move to the neighborhood if she had felt that it was destined to become an apartment area; and she pointed out that the new apartment buildings make it difficult for children to play on the sidewalks because they have so many driveways. If the objective of the Commission is to encourage middle-income families with children to remain in the city, she felt that the Commission would be wise to rezone the subject neighborhood to R-2.

Commissioner Finn stated that he concurred with the objective of encouraging middle-income families with children to remain in the city; however, he questioned whether Mrs. Tennery had any idea what it would cost her to remain in the City if if the City's tax base is not increased. Mrs. Tennery replied that it would also cost her a great deal of money to move; and, in any case, there are alternate ways of expanding the tax base without overburdening the individual home owner.

President Newman remarked that the City Planning Commission had "down-zoned" many blocks throughout the city in response to neighborhood requests, and he indicated that he would ask Mr. Steele to comment on the effect which those "down-zonings" have had on property assessments later in the meeting.

Amalia Diaz, owner of property at Noriega Street and the Great Highway, stated that she had purchased her property twenty-five years ago with the understanding that an apartment house could be constructed on the site; and, since she had spent a great deal of money to construct an apartment building, she was not in favor of the proposed rezoning which would make her building a non-conforming use. She stated that the apartment houses which have been constructed in the subject neighborhood have helped to beautify the area; and it was her opinion that the neighborhood would be even more attractive if the remaining "shacks" were removed and replaced with new apartment buildings.

David Rohrer, President of the Sunset Parkside Education and Action Committee (SPEAK), stated that his organization had undertaken a major study of housing in the Sunset District; and he indicated that copies of their report had been given to individual member of the Commission. He stated that his organization was committed to maintaining the existing stock of single-family and two-family buildings in the neighborhood; and, for that reason, his organization had joined Mrs. Ish in filing the subject application. He stated that he did not feel that the changes which have been taking place in the neighborhood are pleasing to the eye or that they have improved living conditions or encouraged middle-income families with children to return from the suburbs. In conclusion, he stated that a survey which had been made by his organization had indicated the overwhelming support of home owners in the area for the proposed rezoning.

Commissioner Fleishhacker remarked that a letter which had been sent to members of the Commission from SPEAK had stated that many of the neighborhood's new apartment buildings have a high vacancy rate; and, if that was the case, it seemed to him that supporters of the request for rezoning were unduly concerned since developers will not construct new apartment buildings if there is no demand for them. He also noted that the letter had stated that the new apartment buildings had brought about an increase in traffic hazards; and he asked if SPEAK had any statistics to substantiate that claim. Mr. Rohrer replied in the affirmative.

Mrs. Ethel J. Drost, owner of property in the neighborhood, stated that she supported reclassification of properties east of 46th Avenue to R-2 since that area has very few apartment houses at the present time; and she believed that the rezoning would help to preserve the present character of that area. However, she was opposed to the proposal to rezone the area between 46th avenue and the Great Highway. She remarked that that area already has a number of apartment buildings; and she felt that some of the older single-family buildings should be replaced. She stated that apartment buildings are needed in the Sunset District; and construction of new apartment buildings along the Great Highway will give tourists a better impression of the city.

Arthur S. Hecht, 2550 Ortega Street, stated that he does not live in the area which would be affected by the proposed rezoning; however, he was opposed to the construction of high-rise apartment buildings along the Great Highway. Therefore, he was in favor of the proposed reclassification.

Commissioner Rueda noted that properties along the Great Highway are subject to a 40-foot height limit; and he gathered that Mr. Hecht was really opposed to the density which the present R-4 zoning would permit.

Frances Edmund, 4541 Lincoln Way, stated that her property is presently zoned R-4; and she wondered if that zoning, which offered the potential of constructing a multiple-family dwelling on the site, had affected the assessment of her property. She remarked that many residents of the Sunset District had purchased their homes a number of years ago and had hoped to remain in the area as long as they live; however, with the changes which have been taking place, that objective is becoming increasingly difficult to achieve. Many homeowners are paying off mortgages which they assumed in order to undertake improvements required by the Federally Assisted Code Enforcement (FACE) Program; and, more recently, they have been confronted with sharply increased assessments. For people living on a fixed income, those circumstances could pose severe economic problems. Therefore, she wondered if the assessment of her property would be lowered if her property were rezoned to R-2.

Mr. Steele stated that he had discussed assessments with Mr. Duca of the Assessor's Office and had been advised that the actual use of a parcel of property determines its value for assessment purposes. That statement appeared to be substantiated by recent assessments in the Haight Ashbury District which had previously been "down-zoned" by the Commission; however, in the case of assessments in the Outer Sunset, it did appear that the zoning of the properties had been taken into account by the Assessor's Office.

Commissioner Porter stated that she had discussed the matter with the Assessor and had been assured that assessments are based on the full market value of nearby properties which have recently been sold.

Commissioner Rueda stated that the issue of assessments and taxes would not affect his vote on the matter presently before the Commission for consideration.

Alexander Edward, owner of the property on 47th Avenue between Irving and Judah Streets, stated that his property is zoned R-2 but is surrounded by properties which are zoned R-3 and R-4. Although his property is developed with a single-family dwelling, he was opposed to the proposed "down-zoning". He stated that he had chosen to live in the subject neighborhood because it appeared that new apartment house construction, which would upgrade the area, was imminent; and he assumed that other individuals had moved to the neighborhood for the same reason. He hoped that developers would continue to replace older run-down dwellings in the neighborhood with new apartment buildings; and, given the high prices which developers are paying for the properties which they are acquiring, the present occupants of the older dwellings could well afford to purchase newhomes in single-family areas if that is their preference. He advised the Commission that a new apartment house is under construction at 47th Avenue and Judah Street; and he considered that building to be a major improvement over what existed on the site before. He emphasized that Judah Street has excellent public transportation; and it seemed logical to him that apartment houses should be constructed in that area for people who wish to live near the Ocean and Golden Gate Park with easy access to the downtown area.

William Howe, owner of an apartment building at the intersection of 39th Avenue and Irving Street, stated that his property is zoned R-3. When he had first learned of the proposed rezoning, he had been concerned about the effect which it would have on his building; however, after inquiring into the matter, he was convinced that there was no way in which the rezoning could be harmful to him. He indicated that he owns a home in another part of the Sunset District; and he felt that it would be a mistake to encourage the development of more and more apartment buildings, bringing greater density and automobile congestion to the neighborhood. Furthermore, as a resident of the City, he felt that every effort should be made to retain and provide housing for middle-income families with children. Therefore, he was in favor of the proposed reclassification.

Paul Fort stated that he had purchased a run-down house on Lincoln Way and had fixed it up. He considered the older houses in the area to be beautiful buildings; and it disturbed him that so many people seemed to feel that they should be torn down. He stated that his property is zoned R-4; and he indicated that he would be happy to have it rezoned to R-2 in order to preserve the existing character of the neighborhood. He also acknowledged that he was anxious to protect his view of the Ocean.

Louis Paul, owner of property on 48th Avenue, stated that his property has been owned by his family since 1908. The property has always been well maintained; and he had borrowed $10,000 to bring the house into conformity with code standards during the Federally Assisted Code Enforcement Program in 1967. A new apartment

house has been constructed on an adjacent lot which was once occupied by a barn; and a second apartment building is now under construction in the vicinity. The apartment buildings cost $250,000 each; and he felt that they have contributed vastly to the improvement of the neighborhood. Therefore, he was in favor of retaining the R-3 and R-4 zoning in the area.

Paul White stated that he had been born and raised on 48th Avenue although he no longer lives in the neighborhood. At the present time, he works for ENERGY, a youth organization in the Sunset District. Given his background in the neighborhood, he felt that it was important for him to express his support for the proposed "down-zoning". He advised the Commission that friction and problems such as family arguments, run-away children, and divorce tend to develop when living space is inadequate; and he felt that the proposed "down-zoning" would assure the future availability of single-family housing and duplexes in the Sunset District.

Joel Budgor, representing the staff of the Sunset Parkside Education and Action Committee (SPEAK), referring to a question raised earlier in the meeting by Commissioner Fleishhacker regarding statistics relative to the number of accidents in the neighborhood, advised the Commission that 97 traffic accidents had been reported on the subject blocks in 1961 whereas 167 traffic accidents have been reported in the same area thus far in 1975.

Commissioner Finn asked Mr. Budgor if he had correlated those statistics with the statistics for the City as a whole. Mr. Budgor replied in the negative.

Commissioner Fleishhacker remarked that he had also questioned whether there would, in fact, be a demand for new apartment units in the neighborhood in the future if the existing apartment buildings have a high vacancy rate. Mr. Budgor replied that he believed that there would still be an incentive for developers to demolish single-family houses, to build new ten-unit apartment buildings, and to lease 4 or 5 of the units in the new buildings, leaving the other units vacant, while still making a profit.

Commissioner Fleishhacker replied that it was highly unlikely that a building owner could make a profit with an occupancy rate of less than 80%.

Mr. Budgor stated that his organization had surveyed 100 owners of single-family dwellings in the subject neighborhood to determine their reaction to the proposed reclassification. Of the individuals surveyed, 63 had indicated that they were in favor of the reclassification, 19 had stated that they were opposed to the reclassification, and 18 had expressed no opinion. Surveys had also been made of tenants, apartment building managers, and others.

Commissioner Fleishhacker inquired about the results of the survey of tenants. Mr. Budgor replied that the tenants were fairly evenly split between those who supported the application and those who were opposed to it. Concluding his remarks, he stated that many of the new apartment buildings which have been constructed in the area have no landscaping or open space, some of them block other people's views of the ocean, and many of them have an extremely high turn-over rate. In fact, some apartment building managers had reported turn-over rates of almost 100%.

Commissioner Rueda observed that if the turnover rates in the new apartment buildings are as bad as Mr. Budgor had stated, the likelihood of new apartment buildings being constructed, even if the zoning were to remain unchanged, would probably be quite slim.

Mr. Budgor replied that the potential for construction of new apartment buildings would still exist if the zoning were to remain unchanged; and he felt that the zoning should be changed to protect the present single-family and two-family character of the neighborhood. He emphasized that most of the facilities in the neighborhood are oriented to provide services for families and that very few "adult" facilities exist; and he felt that it was important that the family character of the area be preserved.

Evelyn Wilson, 2159 42nd Avenue, stated that her property is not located within the area proposed for rezoning. However, she serves as chairman of the Education Committee of the Sunset Parkside Education and Action Committee (SPEAK); and she stated that one of the biggest projects of her committee had been to try to keep families in the neighborhood. She reported that young families are starting to move into the area; and she felt that it was important that the single-family character of the area should be preserved.

Commissioner Rueda stated that he acknowledged the need for housing for middle-income families with children; but he indicated that he was also concerned about providing housing for single people. He asked Mrs. Wilson where she felt that they could be accommodated. Mrs. Wilson replied that there are other areas of the city, such as Lake Merced, where apartment buildings for single people are appropriate.

An owner of property on Judah Street near 40th Avenue which is presently zoned R-3 objected to the proposed rezoning because he felt it would lessen the value of his property. If people wish to spend their money to preserve old buildings, he felt that they should be permitted to do so; but he did not feel that they should be permitted to stop progress by "down-zoning" the properties which those buildings occupy.

Tony McCarthy, resident of 48th Avenue between Lincoln Way and Irving Street, emphasized that most of the new apartment buildings which have been constructed in the neighborhood have no landscaping; and, while some people might feel that the buildings themselves are beautiful, his own opinion was that they should be required to have some landscaping to soften their appearance.

Kenneth Brien, 1295 42nd Avenue, stated that neither he nor any of his neighbors had been interviewed by SPEAK regarding the subject application; and he questioned the validity of the surveys which had been taken by the organization. He stated that all of his earnings are wrapped up in his property; and he was opposed to the proposed "down-zoning" because it would further lower the value of his property which has already been designated as a non-conforming use subject to termination in 1990.

Jerome Stack, a real estate broker and the owner of property located at 1417 48th Avenue, stated that he could understand the desirability of the proposal to "down-zoning" blocks included in the subject application which are developed primarily with single-family dwellings and duplexes; however, he did not feel that it would be fair to "down-zone" properties which have already been developed to a higher density.

Wes Cherry, 1258 LaPlaya, remarked that the Sunset District has the characteristics of a large amphitheatre which looks towards the ocean; and he believed that the present effect would be destroyed if a solid wall of apartment buildings were to be constructed along the beach. Furthermore, construction of apartment buildings along the beach will eventually establish a precedent for construction of apartment buildings further up the hill. He stated that tall buildings should be constructed on the top of hills and not at the beach where they will create severe wind problems.

Louis Sacher, 1424 LaPlaya, stated that he was opposed to the proposed "down-zoning" even though he owns a single-family dwelling which he does not intend to demolish. He observed that if it were possible to "down-zone" San Francisco to the state that it was in when only Indians resided here, there would be no more controversy; but that, of course, would be impossible. In his opinion, the basic problem was not with the R-4 zoning but with the complexity of the area itself. While he acknowledged that areas where single-family dwellings and duplexes predominate should be zoned R-1 or R-2, he felt that the R-4 zoning along Ocean Beach should be retained. Under R-4 zoning, people who choose to live in older houses may continue to do so; however, he felt that apartments should be available for individuals who prefer that particular lifestyle. The neighborhood has developed in a particular manner because that was what people wanted; and he felt that people should continue to have options available to them. While most of the people present in the meeting room were concerned with the issue, most of the people who reside in the neighborhood have no preference either way. He advised the Commission that his area of the neighborhood tends to be the most accident-prone; however, most of the people who are involved in accidents do not live in the neighborhood. In any case, accidents are a police problem; and he believed that they are in no way affected by zoning.

John Kerrigan, owner and manager of an apartment building located at 4320 Judah Street, noted that 690 lots would be affected by the proposed reclassification; and he asked how many of the owners of those lots had signed petitions in support of the application. He also remarked that a statement had been made to the effect that the number of elderly people in the area had increased while the number of children had decreased; and he wondered if that was a reflection of a general trend. He also assumed that properties which had been "down-zoned" from R-3 to R-2 in San Francisco have had their assessed values increased; and he asked the staff to verify whether his assumption was correct. In conclusion, he stated that he was opposed to the proposed "down-zoning" of the neighborhood.

Dan Giosso, 1370 48th Avenue, stated that he had constructed an apartment building on 48th Avenue near Judah on property which was formerly occupied by the barn which had been referred to by Mr. Paul. He stated that he also owns other property in the area which is presently occupied by two old houses which have been brought up to code standards but are old nevertheless. He did not feel that the proposed "down-zoning" would improve the neighborhood.

Commissioner Rueda asked Mr. Giosso if he belongs to a builders association. After Mr. Giosso had replied in the negative, Commissioner Rueda suggested that it might be desirable if he were to join such an association with the objective of promoting the construction of apartment buildings which are more attractive than those which have been built in the subject neighborhood in the past.

Mr. Giosso stated that the California Coastal Zone Commission had requested changes in the design of the building which he had constructed and had also requested that landscaping be installed; and he felt that that agency had exceeded its jurisdiction in making those requests.

Thomas Rickert, a coordinator for the Sunset Parkside Education and Action Committee (SPEAK), stated that residents of the neighborhood had expressed their concern about development trends in the area to his organization over the years; and, as a result, his organization had prepared a report on housing in the Sunset District which was published one year ago. That report indicated that the problem is most critical in the vicinity of Ocean Beach which has lost 27% of its under-age population between 1960 and 1970 whereas the rest of the Sunset District had experienced a decline ranging from 6 to 19% in the under-age category. That information had prompted his organization to seek a solution through the rezoning which was presently under consideration by the Commission. He stated that the proposal for the rezoning had been given reasonably good publicity throughout the neighborhood; and he felt that his organization had adequately documented the problem, demonstrating that construction of more apartment buildings catering to transients would have a negative impact on the neighborhood. He expected that some of the individuals who had spoken in opposition to the application had taken that position because of the possibility that they might wish to sell their properties for construction of apartment houses in the future; but it still seemed to him that the requested rezoning provided the best alternative for a solution to the problem of the neighborhood.

Commissioner Fleishhacker stated that the problem of the neighborhood is apparent; but there appeared to be a difference of opinion as to what should be done to solve it. The application which had been filed by the Sunset Parkside Education and Action Committee had proposed that all of the subject properties should be reclassified to R-2; but the application which had been initiated by the City Planning Commission would permit consideration of R-3 and R-3.5 zoning as well. He asked Mr. Rickert if his organization continued to feel that all of the properties must be reclassified to R-2 or if there were some areas in which other zoning might be appropriate.

Mr. Rickert stated that his organization represents only the individuals who come to its meetings and does not presume to speak for all residents and property owners in the area. He felt that the members of the organization would be willing to consider a compromise if one were offered by the Commission; however, until a compromise is suggested which the members of his organization can evaluate, the official position of the organization will be that R-2 zoning is the "strong medicine which is needed to cure the patient at this time".

Ardene Swain stated that she had owned a home in the subject neighborhood but had sold it in order to move away from the apartment buildings and into a quite single-family residential neighborhood in Oakland. At the time her San Francisco property was sold, it was zoned R-3; and the value of that zoning was important to her family. Given the fact that a large number of apartment buildings have already been constructed in the area, she felt that the area is destined to be apartment-oriented in the future; and individuals who do not relish such an environment will have to move to other areas. She stated that there is a demand for apartments in the area; and, if people wish to live in a single-family residential area, they should purchase property which is zoned for that type of development.

Herbert Ginsberg, 1350 48th Avenue, stated that he owns an old house; and he indicated that many people have knocked at his door to ask if he would be willing to rent it. While he recognized that the decision to be made by the Commission would be difficult, he felt that reclassification of the properties to R-2 at the present time would help to stabilize the growth level of the neighborhood. Furthermore, he felt that no more apartment development should be permitted until such time as the City has adopted design controls to assure that apartment buildings will be well-designed.

Dean L. Macris, Director of Planning, stated that he had conferred with Mr. Steele; and, in view of the significant amount of testimony which had been received during the course of the public hearing, he recommended that the matter be taken under advisement until the Commission's meeting on September 18.

Commissioner Porter moved that the matter be taken under advisement until the Commission's Regular Meeting on September 18, at 3:00 p.m. She stated that she has spent a great deal of time in the subject neighborhood; and, while she was very sympathetic with the request for rezoning, she felt that there were certain areas covered by the subject application which should not be rezoned to R-2. Although San Francisco has not adopted a formal "no growth" policy, the Commission has rezoned a great deal of residential property to R-2 during the past two years. She acknowledged that R-2 zoning might be appropriate for some of the properties involved in the subject application. However, properties which are already developed to higher densities should not be rezoned to R-2; and some of the properties included in the application might more appropriately be zone R-1 than R-2. She asked that the staff of the Department of City Planning review those alternatives prior to the next meeting on the matter.

The motion was seconded by Commissioner Finn who also urged the staff to consider zoning other than R-2 for certain properties covered by the application when it is formulating its recommendation on the matter.

Commissioner Ritchie stated that he was almost prepared to vote on the matter during the present hearing; however, he indicated that he would support the proposed postponement in view of the complexity of the issues involved. In his opinion, while it was obvious that improper zoning does exist in the neighborhood, the problems which have been experienced by the neighborhood have not been caused solely by the zoning but also by the misuse of the zoning by developers. Some apartment buildings which have been constructed in the neighborhood are attractive; but others are of extremely poor design. He noted that he had objected to the design of apartment buildings which are being constructed in San Francisco on a number of occasions; and he felt that the negative reaction of people living in the neighborhoods where such buildings are constructed was to be expected.

Commissioner Rueda stated that he agreed with the statement which had been made by Commissioner Ritchie; but he emphasized that the Commission does not have the authority to undertake design review. Perhaps one solution to the problem would be for the Commission to recommend the establishment of a design review board.

Commissioner Ritchie stated that he had proposed that a design review board be established; but the staff of the Department of City Planning had prepared a lengthy report to explain why it felt that the establishment of such a board would not be desirable. Nevertheless, he agreed with Mr. Ginsberg who had stated that the negative reaction of neighborhood residents to new buildings would continue until the problem of design is confronted, regardless of whatever zoning patterns the Commission might establish.

The Director noted that the staff of the Department of City Planning is engaged in a City-wide residential zoning study; and he indicated that one of the issues which is being investigated during the course of that study relates to ways in which the Commission can more effectively promote first-rate development compatible with existing development in residential neighborhoods.

When the question was called, the Commission voted unanimously to take this matter under advisement until the Meeting of September 18, 1975, at 3:00 p.m.

The meeting was adjourned at 5:05 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

DOCUMENTS

SAN FRANCISCO
CITY PLANNING COMMISSION

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Minutes of the Regular Meeting held Thursday, September 11, 1975.

The City Planning Commission met pursuant to notice on Thursday, September 11, 1975, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley, and Thomas J. Mellon, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Calvin Malone, Planner IV; Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Selina Bendix, Environmental Review Officer; Alan Lubliner, Planner III; Dave Fulton, Planner II; Robin Jones, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of August 21, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, called on Robert Passmore, Planner V (Zoning), to report on the current status of the barking dog noise problem at the new Pets Unlimited facility at Fillmore and Washington Streets. Mr. Passmore reported that further noise tests have been conducted at the site between 6:30 a.m. and 8:00 a.m. on Tuesday morning, September 9. The results of those tests had indicated that Pets Unlimited is still in violation of conditions established by the City Planning Commission when it authorized the use. He noted that the staff of the Department of City Planning had previously issued a cease and desist order requiring that the nuisance be abated within 30 days; and he indicated that that 30 day period will expire on September 22.

President Newman summarized letters which had been received from Don Bartlett Van Derby, M.D., owner and occupant of property at 2527-2531 Washington Street; Edward Penerian, occupant of 2527 Washington Street; Howard W. Davis, 2506 Washington Street; and from Don Merrick Liles, occupant of 2531 Washington Street. All of the letters expressed concern about the barking dog noise problem at Pets Unlimited.

Commissioner Porter stated that she had voted against authorizing the conditional use for Pets Unlimited at Fillmore and Washington Street because of that organization's past performance in its previous quarters on Sacramento Street; and she felt that Pets Unlimited should be forced to soundproof its new building or that the conditional use authorization should be revoked. She remarked that other pet facilities which have been approved by the City Planning Commission in other parts of the City have been effectively soundproofed; and she felt that there was no reason why residents of the neighborhood in the vicinity of the new Pets Unlimited facility should continue to be disturbed by the sound of barking dogs.

President Newman emphasized that the Commission had voted unanimously during its meeting of September 4, 1975, to state that it had voted to authorize the conditional use for Pets Unlimited with the understanding that the building would be designed so that no sound of dogs barking within the building could be heard outside of the building. Under the circumstances, he felt that the Commission would be required to terminate the Conditional Use Authorization for the facility if the nuisance is not abated.

Commissioner Fleishhacker asked if it would be necessary for the Commission to wait until September 22 to terminate the Conditional Use Authorization. Mr. Passmore replied that he had been advised by the City Attorney's Office that the 30 day period specified in the cease and desist order should be allowed to elapse before such action is taken by the Commission.

The Director suggested that the Commission would still be able to express its intention to terminate the Conditional Use Authorization if the problem has not been corrected by September 22; and he indicated that the Commission might wish to schedule a special meeting on September 23 to consider taking such action.

Commissioner Ritchie stated that he had assumed that the quietness of the neighborhood would not be impaired by the use when he had voted to grant the Conditional Use Authorization; and he remarked that positive representations had been made to the Commission that the soundproofing in the building would be adequate when the Certificate of Occupancy was issued. Under the circumstances, he moved that the Commission indicate its intention to terminate the Conditional Use Authorization for the facility as soon as possible if the nuisance is not abated by September 22. The motion was seconded by Commissioner Fleishhacker.

When the question was called, the Commission voted unanimously in favor of the motion.

Arthur Andreas, a property owner on Washington Street, stated that the noise of the barking dogs has been particularly disturbing to owners and occupants of an adjacent building; and he expressed the appreciation of residents of the neighborhood to the Commission for the effort being made to correct the situation.

CONSIDERATION OF REPORT ON PENINSULA CORRIDOR TRANSPORTATION POLICIES.

Dave Fulton, Planner II, presented and summarized a memorandum which had been prepared on the subject of Peninsula Transit Policy. The memorandum, which is dated September 11, 1975, is available in the files of the Department of City Planning. The purpose of the memorandum was to evaluate four separate studies of alternatives for expanding transit to the Peninsula. Those studies were as follows:

"1. San Francisco Airport Access Project Study, which looked into extending BART to San Francisco International Airport;

"2. Southern Pacific Service Upgrading Feasibility Study, which looked into various alternatives for upgrading Southern Pacific passenger service on the Peninsula;

"3. San Mateo County Local Bus Transit Study (LOBUTS), which considered developing a bus system in San Mateo County which would provide local service within the County and commuter service connecting with BART at Daly City;

"4. San Mateo County Transit Development Project, which examines extending BART from San Francisco International Airport to the southern boundary of San Mateo County."

Alan Lubliner, Planner III, stated that it was recommended that the City Planning Commission, the Board of Supervisors, the Metropolitan Transportation Commission and other agencies should take the following steps:

"1. Reassert San Francisco's commitment to a BART Peninsula extension to San Francisco International Airport and clearly affirm that this BART extension has first priority among all potential extentions of the BART system. The Airport extension is important not only in serving this major transit corridor with its major population centers in San Francisco and San Mateo County, but also in meeting Metropolitan Transportation Commission and ABAG objectives for the entire region.

"2. Request that San Francisco representatives on the Federal level and other Federal government officials work to increase Federal funding for transit to a level that would allow construction of the BART Peninsula extension.

"3. Request that San Francisco representatives on the State level and other State officials seek new sources of State funding for transit and a State commitment to development and expansion of BART. Any State commitment to development of rapid transit in the Los Angeles-San Diego area should be matched by State commitment to the BART Peninsula extension, and any general State commitment to development of rapid transit in major urban areas should include the BART Peninsula extension as a highest priority.

"4. Pending the BART extension, take all steps to encourage development of a bus transit system operating between San Mateo County and downtown San Francisco for all travelers with downtown destinations, with a terminus at the Transbay Terminal or in its vicinity. (Suitable arrangements might be made for additional routes and stops serving non-downtown destinations.) The new San Mateo County Transit District and the City and County of San Francisco might work together with State agencies to encourage such bus transit operation through installation of exclusive bus lanes on the two freeways entering the city from the south and construction of special bus ramp connections to the Transbay Terminal site. The flexibility of the bus system will allow continuous usefulness of bus facilities no matter what other transit improvements are eventually made.

"5. Pending a financial agreement whereby San Mateo County would pay its fair share of BART costs, actively oppose before appropriate public agencies and legislative bodies any attempt to connect the San Mateo County Transit District bus system to BART. If necessary, the BART District Board of Directors should alter BART operations to assure adequate seating for residents within the counties that support BART financially.

"6. Pending extension of BART to San Francisco International Airport, encourage the maintenance and improvement of existing Airporter bus service to the airport. Resist any actions which would tend to degrade such service or any actions which would deter airport travelers from using transit to and from the airport.

"7. Pending development of full BART Peninsula transit service to the South Bay, resist any actions tending to diminish or degrade S.P. commute service from the southern Peninsula. Even if bus service to downtown San Francisco from San Mateo County is developed on an interim basis, as recommended, there will continue to be a significant need for S.P. rail service to and from Santa Clara County where no bus commute service is anticipated."

After the presentation was concluded, Mr. Fulton and Mr. Lubliner responded to questions which were raised by members of the Commission.

President Newman, noting that the Commission had several items for consideration on its agenda and that it was running late, asked that this matter be scheduled for further consideration during the Commission's next meeting on September 18, 1975.

EE75.183 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SAN FRANCISCO PERFORMING ARTS CENTER ON PROPERTY BOUNDED BY VAN NESS AVENUE AND GROVE, FRANKLIN AND HAYES STREETS; 3000 SEAT MAIN SYMPHONY HALL, 700 SEAT RECITAL HALL AND ANCILLARY SPACE, AND 400 STALL PARKING GARAGE.
(UNDER ADVISEMENT FROM MEETING OF AUGUST 14, 1975)

President Newman noted that the public hearing on this matter had been concluded on August 14, 1975.

Alec Bash, City Planning Coordinator, presented and summarized an addendum which was proposed to be incorporated into the Draft Environmental Impact Report for the San Francisco Performing Arts Center. The addendum would be incorporated as Chapter XIII of the report and would be entitled "Summary of Comments and Responses". At the conclusion of his presentation, he responded to questions which were raised by members of the Commission.

After discussion, R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated September 11, 1975, concerning EE75.183, San Francisco Performing Arts Center, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Director be authorized to transmit to the Art Commission the comments of the National Trust for Historic Preservation, the Landmarks Preservation Advisory Board, and the Foundation for San Francisco's Architectural Heritage, for the use of the Art Commission in their review of the design of this public building."

Commissioner Fleishhacker stated that he felt that the proposed facility could have a significant adverse impact on the environment if the final design of the building is not compatible with other buildings in the Civic Center complex.

Dean L. Macris, Director of Planning, emphasized that final plans for the proposed facility would have to go through a prescribed process of review and approval by the Art Commission; and he felt that public involvement in that process would assure that the design of the building will not result in a negative impact on the environment.

Commissioner Fleishhacker then suggested that the second and third resolve clauses of the draft resolution should be interchanged so that recognition of the Art Commission's role in review of the design of the building would be recognized before the finding was stated that the project would not have a significant effect on the environment. Other members of the Commission agreed to that change in the draft resolution.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the revised draft resolution be adopted as City Planning Commission Resolution No. 7374.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

R75.40 - CONSIDERATION OF MASTER PLAN CONFORMITY OF PERFORMING CENTER AND PARKING FACILITY ON COMMERCE PLAYFIELD, BLOCK 810.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been reviewed from the Director of Property.

"The request is for the construction of a Performing Arts Center (Symphony Hall) and garage on the former Commerce High Playfield (Block 810) which is bounded by Van Ness Avenue, Hayes Franklin and Grove Streets. The site is presently occupied by a 320-space off-street parking lot which is managed, under lease, by a parking facility operator. Title to the property is vested in the City and County of San Francisco and it is under the jurisdiction of the Board of Education although the property has not been used for school purposes for many years.

"The Proposal

"The Sponsors of San Francisco Performing Arts Center, who are responsible for the proposal, indicate that the Symphony Hall will provide a performance facility of approximately 3,000 seats (the War Memorial Opera House has a capacity of 3,250 seats), a small theater of approximately 700 seats, rehearsal space, administrative facilites and an off-street parking garage of approximately 400 spaces.

"The cost of the proposed Symphony Hall is estimated to be approximately $20.0 million, of which $15.0 million is to be raised by the sponsors with an additional $5.0 million to be provided by the City under terms of a development agreement between the City and the Sponsors. The construction cost of the garage, estimated to be approximately $1.8 million, will be financed through a private non-profit corporation on the basis of an agreement between the City and the corporation. No City funds are expected to be required for the construction of the parking structure.

"The preliminary schematic plans which have been submitted for the facility contain the following significant design features:

"1. Principal entrance to the Symphony Hall is shown to be at the corner of Grove Street and Van Ness Avenue with secondary entrances on Grove Street, and Van Ness Avenue. No pedestrian access is proposed from the garage structure to the Symphony Hall.

"2. The main entrance to the proposed Symphony Hall is to be designed with a strong visual relationship to City Hall.

"3. An off-street service and loading facility is proposed to be provided on Hayes Street.

"4. A four-level, above-grade parking structure will occupy approximately one-third of the westerly portion of the property. The proposed facility will accommodate about 400 cars (this is 80 cars more than the present parking capacity of the lot). This new facility will provide slightly more than a one-to-one compensation for the off-street parking spaces being lost because of the construction of the Symphony Hall. The present parking lot is utilized extensively during working hours and for performances in the Opera House and other facilities in the area. The proposed garage will provide four points of ingress and egress along Hayes, Franklin and Grove Streets.

"5. The Symphony Hall, at its highest point, will be 96 feet above grade. From this elevation which is designed to accommodate the spacial and acoustical requirements of the hall, the building will step-down progressively to 50 feet along the sides and rear of the performing and seating area. The garage will be 40 feet above grade. All proposed building heights are within the requirements of the City Planning Code. Except for the small, main entrance plaza, there are no building setbacks or open space areas.

"Review

"The Civic Center Plan sets forth several policies regarding the future development of the Civic Center area which are applicable to the review of the proposal:

"1. OBJECTIVE ONE, Policy 3:

Design Civic Center buildings and open spaces to serve as public gathering places for ceremonial, cultural, recreational and other community activities.

"2. OBJECTIVE TWO, Policy 2:

Locate civic cultural facilities in the Civic Center.

"3. OBJECTIVE THREE, Policy 1:

Locate buildings employing large numbers of employees and/or attracting large numbers of visitors in convenient pedestrian proximity to public transit and off-street parking facilities.

"4. OBJECTIVE THREE, Policy 2:

Locate parking facilities beyond the western periphery of the Civic Center core, with direct vehicular access to major thoroughfares.

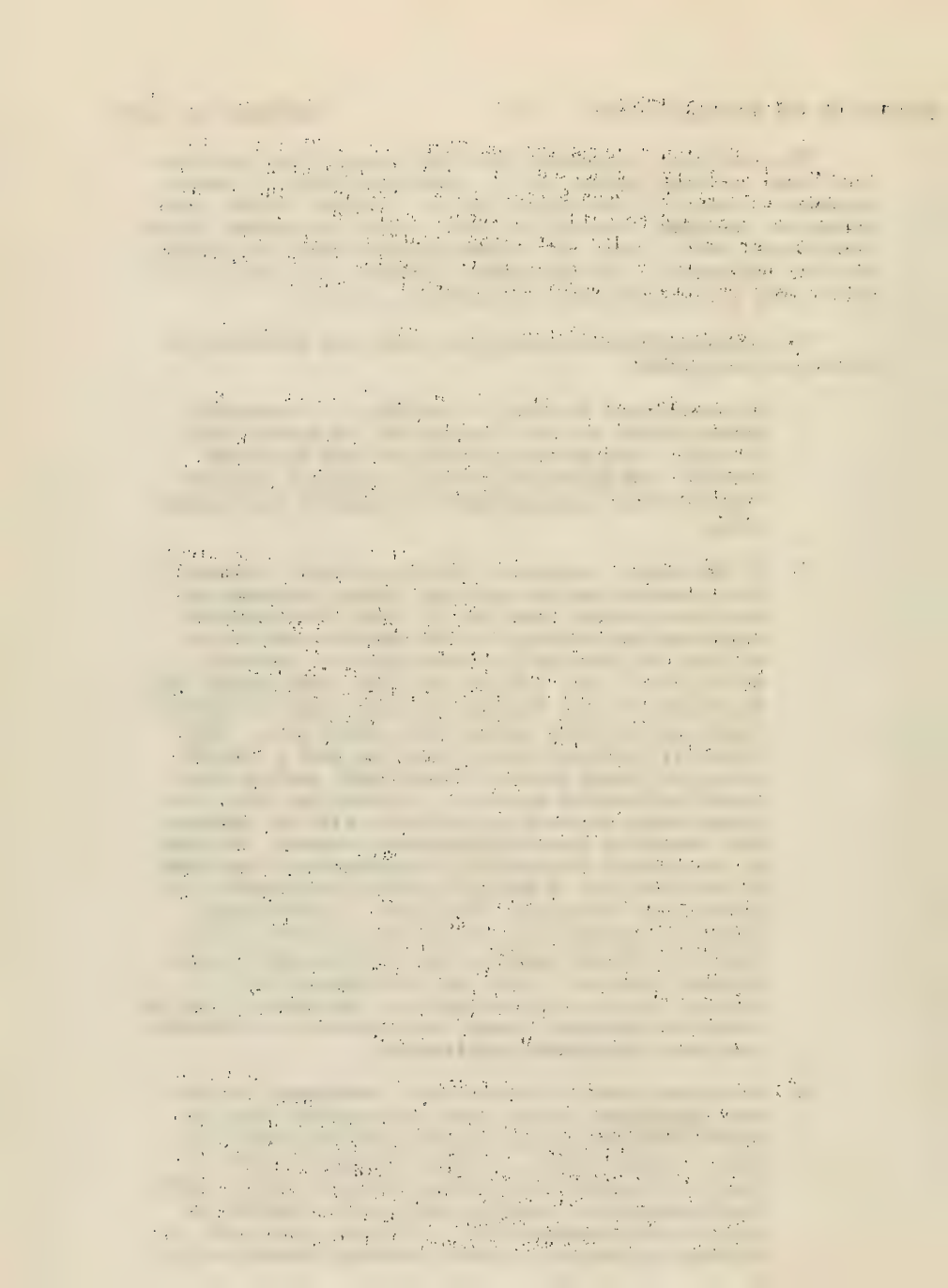
"The map which accompanies the Civic Center Plan sets forth four broad activity categories: 1. Administrative; 2. Entertainment-Culture; 3. Open Space; and 4. Parking. These categories are designed to guide the future public development of the Civic Center area. Under this classification system, the subject block is designated as an appropriate location for a variety of public uses encompassed under categories 1, 2 and 4.

"In reviewing the preliminary site plan, the following observations were noted:

"1. No specialized facility is available to accommodate those patrons who are 'dropped-off' by private car or taxi. Some provision should be made for these arrivals and departures without congesting adjacent vehicular ways, garage access or adjacent bus loading zones.

"2. In the report prepared by the Civic Center Technical Coordinating Cmmittee entitled 'Future Buildings in the Civic Center' dated May 17, 1968, the Committee suggested that parking for the then-proposed courts building on Commerce Playfield should be located below grade. This position has been reaffirmed by the Department of City Planning in later review of development alternatives in the Civic Center area. Additionally, in recent years, there has been a concern about the visual impact of above-grade parking structures in the city, generally. Preferably, then, the garage being proposed in conjuction with the Symphony Hall should be located underground; however, the cost of underground construction, made even more expensive by the existence of subsurface water, may render this alternative infeasible. Therefore, careful design review is necessary to achieve the objective of reducing the visual impact of the proposed above-grade parking structure. Also, the landscaping which is proposed for the various levels of the garage structure should be carefully planned and evaluated for inherent long-term maintenance requirements.

"3. While the extent of street-level landscaping has not been determined at this time, the adjacent sidewalk widths (Van Ness Avenue, 16 feet; Grove Street, 10 feet; Franklin Street, 9 feet; and Hayes Street, 12 feet) are presently at minimum widths and street-level landscaping could constrict pedestrian movements to and from the Symphony Hall. If street-side landscaping is proposed, a modest building setback on at



least Grove Street should be considered. With no direct access proposed between the Symphony Hall and the parking structure, the existing sidewalk area long Grove Street may not be adequate to conveniently accommodate pedestrian movements to and from the Symphony Hall and the garage area.

"4. Because performances at the proposed Symphony Hall would create congestion patterns similar to what now exists for performances at the Opera House, the concurrent scheduling of activities at both of these buildings would double the parking demand and traffic volumes as based on the Sponsor's best estimates. Therefore, on those occasions when the Symphony Hall and the Opera House have scheduled performances simultaneously, consideration should be given to developing staggered hours of operation to reduce the impact of the two facilities on the transit system and adjacent street system.

"With respect to the specific policies and map of the Civic Center Plan, the proposed location of the Symphony Hall would:

"1. Enhance the Civic Center as a place for ceremonial, cultural, recreational, and other community activities;

"2. Provide for cultural facilities in the Civic Center;

"3. Provide convenient access to public transit and off-street parking;

"4. Provide for off-street parking facilities on the western periphery of the Civic Center core with direct access to major thoroughfares; and

"5. Conform to the activity designations placed on the proposed site by the Civic Center Plan."

No one was present in the audience to be heard on this matter.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), presented the recommendation of the Director of Planning, as follows:

"It is recommended that the Director be authorized to report that the proposed use of Commerce Playfield (Block 810) for a Performing Arts Center and parking facility is in conformity with the Master Plan provided that:

"1. The parking facility be constructed in a way that minimizes visual impact;

"2. A special traffic lane or other provision be created for convenient vehicular access for dropping-off and picking-up patrons without congesting adjacent street areas;

"3. Sidewalk widths and landscaping be carefully reviewed for maximum ease of pedestrian movement;

"4. Landscaping be placed to enhance the pedestrian view of the proposed facility with appropriate plant material set into the ground rather than into movable planter boxes; and

"5. Hours of operation when they conflict with the Opera House be staggered to prevent undue vehicular and transit congestion."

Commissioner Porter asked why the Director felt that landscaping should be set into the ground rather than in movable planter boxes. The Director replied that planter boxes have a less attractive appearance than landscaping planted in the ground, the size of trees which can be installed in planter boxes is limited, and planter boxes have a somewhat temporary appearance. He felt that the Commission should take the position that the landscaping should be set in the ground; however, if it appears that there are good reasons for using planter boxes instead, the matter could be reconsidered by the Commission at a later date.

Commissioner Fleishhacker felt that one of the more serious impacts of the proposed facility would relate to traffic congestion in the Civic Center area; and he doubted that the proposed facility would be in conformity with the Master Plan unless that problem could be ameliorated.

In view of the concerns which had been expressed by Commissioner Fleishhacker, the Director suggested that the Commission might wish to establish a sixth condition to the approval to be worded as follows: "During the development of the Performing Arts Center, a traffic plan shall be developed which would assure minimum congestion in the Civic Center Area."

Commissioner Fleishhacker indicated that he felt that the addition of the condition recommended by the Director would be desirable. Other members of the Commission agreed.

Commissioner Porter, noting that construction of the proposed facility will take place on the site which is now used as a parking lot, asked if any arrangements would be made for alternate parking during the construction period. The Director replied in the negative.

The Director advised the Commission that Thomas J. Mellon, Chief Administrative Officer of the City and County, had addressed a letter to Samuel B. Stewart, President of the Sponsors of the San Francisco Performing Arts Center, Inc., designating the Director of Planning as the individual responsible for coordinating all phases of the proposed project with the various city departments involved.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the proposed use of Commerce Playfield (Block 810) for a performing arts center and parking facility is in conformity with the Master Plan subject to the six conditions which had been recommended by the Director.

At 3:55 p.m. President Newman announced a ten-minute recess. The Commission reconvened at 4:05 p.m. and proceeded with hearing of the remainder of the agenda. Commissioner Ritchie was absent from the meeting room for the remainder of the meeting.

PRESENTATION AND DISCUSSION OF CONSULTANT REPORT FOR COMMERCE AND INDUSTRY ELEMENT OF THE COMPREHENSIVE PLAN BY ARTHUR D. LITTLE, INC.

Donald Black and John Sanger of the firm of Arthur D. Little, Inc., presented and summarized the report which was entitled "Commercial and Industrial Activity in San Francisco: Present Characteristics and Future Trends". Following the presentation, they responded to questions raised by members of the Commission.

The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, September 18, 1975.

The City Commission met pursuant to notice on Thursday, September 18, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV (Zoning); Alec Bash, City Planning Coordinator; Alan Lubliner, Planner III; Robert Feldman, Planner II; Dave Fulton, Planner II; and Lynn E. Pio, Secretary.

George Snyder, represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded the Implementation Committee (Commissioners Fleishhacker, Porter, Rueda) of a meeting scheduled for next Thursday, September 25, at 12:00 Noon. He also noted that the full Commission is scheduled to take a field trip at 1:00 p.m. on that date to visit properties which will be considered during the Zoning Hearing to be held on October 2, 1975.

Robert Passmore, Planner V (Zoning), reported on the current status of the barking dog problem at the new Pets Unlimited facility at Fillmore and Washington Streets. He indicated that sufficient soundproofing has been installed so that the facility now conforms with the requirements of the City's Noise Ordinance which is administered by the Department of Public Health; however, the facility is still in violation of conditions established by the City Planning Commission when it granted conditional use authorization for the facility. A Cease and Desist Order which had been issued by the Department of City Planning requires that the nuisance be abated by September 22; and the conditional use authorization may be terminated by the Commission if the violation continues beyond that date.

The Director noted that the Commission had voted on September 11 to indicate its intention to terminate the conditional use authorization for the facility as soon as possible if the nuisance is not abated by September 22; and he recommended that no further action be taken by the Commission until the September 22 deadline has passed. At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Neil Glerum, President of Pets Unlimited, stated that his organization had been working continuously to find and correct noise leaks in the new facility; and he indicated that they had been able to reduce the noise level at the exterior of the building to 50 dba, thus bringing the facility into compliance with the city's Noise Ordinance. He stated that 43 residents of the subject neighborhood had signed a petition indicating that they had not been bothered by noise from the facility and that they felt that the facility is a desirable thing for the neighborhood to have; and he expected that additional petitions would be submitted to the Commission during the course of its meeting. While the facility has not disturbed most of the residents of the neighborhood, he acknowledged that tenants of the building immediately adjacent to the facility on the west have been bothered by a noise problem; and he indicated that he had assured the staff of the Department of City Planning that a soundtrap would be installed to correct that problem if steps currently being taken to control the noise are not effective. However, it was likely that the situation could not be resolved by the September 22 deadline established in the Cease and Desist Order; and, therefore, he asked that additional time be granted by the Commission. In reply to a question raised by Commissioner Fleishhacker, he stated that a soundtrap is an inclined acoustical device which throws noise waves upward and dissipates them in the air.

Later in the meeting, John Maxwell Ford, Chairman of the Building Committee for Pets Unlimited, submitted additional petitions from residents of the neighborhood stating that they have not been troubled by noise from the new facility. He also read and submitted the following letter:

> "We refer to your letter of September 11, 1975. It would seem necessary to point out that the contractor has been requested to correct certain areas of construction in order to comply with the plans and specifications as orignally approved by the City and County of San Francisco.
>
> "It would seem necessary to advise that - that portion of the San Francisco Planning Resolution 6868 reading 'that the average sound level within the building will not increase the average exterior background noise level at any given time at the property line' is neither original or unique to San Francisco, and that the contractor was asked to comply with said section of Resolution 6868, and the plans and specifications as originally approved by the City and County of San Francisco.

"It would seem necessary to point out that Planning is on record as advising that the requirements of the San Francisco 'noise ordinance' are more restrictive than those requirements of said Resolution 6868.

"At a hearing held by the San Francisco Health Department on September 16, 1975, it was established that this facility, 2343 Fillmore Street, is in compliance with said ordinance."

After reading the letter, Mr. Ford requested that a two week extension be granted beyond the September 22 deadline which had been established by the Cease and Desist Order.

Vice President Porter stated that the Commission had decided to take no further action on this matter until the September 22 deadline has passed.

Mr. Passmore reported that the Clerk of the Board of Supervisors had transmitted to the Department of City Planning a proposed ordinance which would establish requirements for the preparation and review of master plans for institutions of higher learning and medical institutions. The Director noted that the Commission had already adopted a policy of following procedures almost identical to those outlined in the proposed ordinance; and he felt that consideration of the proposed ordinance should be deferred until the Residential Zoning Study is completed since the impact of uses such as schools and medical complexes on residential neighborhoods will be considered during the course of that study. In the meantime, the procedures which had already been established by the Commission for review of institutional master plans would provide the protection for residential neighborhoods contemplated in the proposed ordinance. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to respond to the Clerk of the Board of Supervisors that consideration of the proposed ordinance should be deferred until the Residential Zoning Study has been completed.

R75.29 - SALE OF PROPERTY AT JESSIE STREET SOUTHEAST OF NINTH STREET.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been transmitted by the Director of Property for review as to conformity with the Master Plan.

"The property proposed to be sold, Lot 6A of Assessor's Block 3508, is on the northwest side of Jessie Street, 105 feet southwest of Ninth Street, and was originally acquired in 1953 as part of the Jessie Street Extension Project. The Director of Public Works has indicated that this parcel is now surplus to their needs, and the adjoining property owner, Western Merchandise Mart, has expressed an interest in purchasing this triangular parcel of 18 square feet in area.

"The parcel is within a C-3-G (Downtown General Commercial) district. Jessie Street has a dedicated width of 30 feet, and is immediately southeast of the Western Merchandise Mart buildings.

"The Residence Element of the Master Plan, in the Generalized Residential Land Use Plan, designates the area of this property as Commercial and Industrial. That Element, in Objective II, Policy 2, calls for giving priority in the disposition of surplus land to uses that best meet public needs. The property would not, however, be useful either for public facilities or to meet other public objectives, nor would leasing of this parcel of land be a desirable alternative."

Dean L. Macris, Director of Planning, recommended that the sale of the property be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the sale of Lot 6A in Assessor's Block 3508 is in conformity with the Master Plan.

R75.31 - ACQUISITION OF PROPERTY AT BLUXOME STREET BETWEEN FOURTH AND FIFTH STREETS, FOR DRILL AREA AND ACCESSORY PARKING.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been transmitted by the Director of Property for review as to conformity with the Master Plan.

"The proposed acquisition involves property on the north side of Bluxome Street, between Fourth and Fifth Streets, with a frontage of 30 feet and a depth of 120 feet. This consists of the westernmost 30 feet of Lot 22 in Assessor's Block 3786. The proposed use of the property is for a drill area and for parking for employees at the adjoining Fire Station No. 8, at 36 Bluxome Street.

"The subject parcel was originally purchased by the State Department of Transportation, for use as a ramp for the Southern Embarcadero Freeway. This location for a ramp was then abandoned, and a ramp was subsequently built at Fourth Street. Presently the site is vacant, with some small seedling trees, a flower and vegetable garden, and a horseshoe court.

"Ordinance No. 150-75, effective April 21, 1975, places this site within the Interim Parking Control Area Surrounding Yerba Buena Center, within which area new parking lots or structures are permitted only as accessory uses.

"The Urban Design Element of the Master Plan, in Policy for Neighborhood Environment No. 12, calls for installation and maintenance of landscaping in public areas, and Policy No. 14 calls for screening of parking lots by landscaping, walls or fences. The Department, in June 1973, issued a document entitled 'General Guidelines and Procedures for the Improvement of Exposed Parking Lots', to provide standards and procedures for development of parking lots, which would be applicable to this property."

Dean L. Macris, Director of Planning, recommended that acquisition of the property be approved as in conformity with the Master Plan provided that the Fire Department consult with the Department of City Planning in the development of landscaping for the parking lot and that no more parking stalls be provided on the site than would be permitted as an accessory use.

After discussion it was moved by Commissioner Finn, seconded by Commissioner Ritchie, and carried unanimously that the Director be authorized to report that acquisition of the westernmost 30 feet of Lot 22 in Assessor's Block 3786, for use as a drill area and accessory use parking lot for Fire Station No. 8, is in conformity with the Master Plan, provided that the Fire Department consult with the Department of City Planning in the development of landscaping for the parking lot, and that no more parking stalls be provided on the site than would be permitted as an accessory use.

R75.46 - ACQUISITION OF PROPERTY AT 762 FULTON STREET FOR COMMUNITY CULTURAL CENTER.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The Director of Property has referred for review as to conformity with the Master Plan a proposal to purchase property at 762 Fulton Street (Assessor's Block 781, Lots 10 and 34) for the purpose of using the building as a community cultural center for the artistic and cultural activities of the Neighborhood Arts Program of the Art Commission.

"The property is on the north side of Fulton Street, between Buchanan and Webster Streets, in the Western Addition A-2 Redevelopment Area. It contains a three-story and penthouse reinforced concrete building with a total area of approximately 35,000 square feet, and a parking lot accommodating approximately 80 cars. The building has been used by the Redevelopment Agency as its Western Addition area site office, and is designated as RM (Residential, Medium Density), within which the Redevelopment Plan includes cultural institutions as permitted uses.

"The Redevelopment Plan was originally adopted and approved by the Board of Supervisors on October 13, 1964, with amendments on August 3, 1970. The City Planning Commission had acted on the Plan under Resolution Nos. 5813 and 6571 in each of those years.

"Remodeling work would include interior partition relocation and removal, development of a children's playground, and provision of street trees.

"The Recreation and Open Space Element identifies this area as a 'high need neighborhood' which should receive priority for new parks and recreational improvements. This policy can be extended to include local cultural activities such as those proposed. The Transportation Element designates Fulton Street as a major thoroughfare.

"The Transportation Noise Section of the Environmental Protection Element identifies Fulton Street as experiencing transportation noise levels at 70 decibels. This Section's Land Use Compatibility Chart for Community Noise indicates that new construction or development of auditoria and concert halls should generally not be undertaken in areas experiencing Ldn values of 65 decibels or higher. This Chart indicates that new construction or development of movie theaters in areas experiencing Ldn values of 70 decibels or higher 'should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.' Therefore, it would be desirable to determine the externally generated noise levels experienced inside the subject building, in order to analyze the degree to which this would interfere with the proposed activities. Insulation or other features could then be designed to reduce the interference, if necessary."

Dean L. Macris, Director of Planning, recommended that the acquisition of the property be approved as in conformity with the Master Plan provided that the Art Commission give consideration to conducting a noise analysis to determine the externally generated noise levels experienced inside the subject building, in order to analyze the degree to which this would interfere with the proposed activities, and to determine insulation or other features which could then be designed to reduce the interference, if necessary.

After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that acquisition of 762 Fulton Street, Lots 10 and 34 in Assessor's Block 781, for use as a community cultural center is in conformity with the Master Plan, provided that the Art Commission give consideration to conducting a noise analysis to determine the externally generated noise levels experienced inside the subject building, in order to analyze the degree

to which this would interfere with the proposed activities, and to determine insulation or other features which could then be designed to reduce the interference, if necessary.

At 2:55 p.m. Vice President Porter announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:05 p.m. for hearing of the remainder of the agenda.

ZM75.2 & ZM75.15 - OUTER SUNSET, AREA GENERALLY BOUNDED BY LINCOLN WAY, GREAT HIGHWAY, NORIEGA STREET AND SUNSET BOULEVARD.
R-4 AND R-3 DISTRICTS TO R-2 OR INTERMEDIATE DISTRICTS.
(UNDER ADVISEMENT FROM MEETING OF 9/4/75)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this matter as follows:

"This public hearing is being continued from the hearing of September 4, when more than 20 people spoke concerning the proposed change in zoning. Before any staff recommendation was made, the Commission requested the staff to review the proposal in light of this public response.

"The original proposal of February 28, 1975 was to change all R-4 and R-3 districts in this area to R-2 districts. The Commission acted in July to allow for changes to intermediate districts in existing R-4 areas. After review of the proposal in light of the public testimony of September 2, and additional field checks the staff recommends the following zoning changes in the subject area in order to preserve the existing housing stock suitable for families with children. The intermediate R-3 classification seem more practical for some of the presently zoned R-4 properties, while R-2 is appropriate for most of the area included in the original proposal. A small part of the subject area is recommended to remain as R-3. It should be noted that this reclassification effects future development in the area and does not require any changes in existing buildings. The proposed changes are in harmony with the Plan for Residence, the California Coastal Plan and the emerging outlines of the Residential Zoning Study.

"1. In the 2 areas marked 'A' on the map, along Lincoln Way from 41st Avenue to La Playa, and along Lawton Street off Great Highway, the staff recommends a change from R-4 ro R-2 for the reason that more than 85% of the properties are already developed with one- or two-family dwellings and any future development to a density greater than R-2 would be incompatible.

These properties appear to be inappropriately zoned, and to continue to allow more high density development at this time would adversely effect these one- and two-family houses, particularly those pleasantly landscaped and facing the park.

"2. For the 5 areas marked 'b' on the map, east of 46th Avenue on Irving and Judah Streets, and south of Lawton Street along Great Highway, the recommendation is to change the classification from R-3 to R-2 for the reason that the existing R-3 density buildings provide sufficient apartment units in these areas and a change to R-2 will preserve their essentially family residential characteristics.

"Some additional R-3 development would still be possible on transitional properties adjacent to or opposite commercial districts in these areas, especially on Irving and Judah Streets.

"3. The area marked 'C' on the map, presently classified R-3, is also recommended for change to R-2. The frontages on Irving Street and 48th Avenue here have substantial numbers of one- and two-family buildings together with small apartment houses. This R-2 zoning will serve to ameliorate the growth here, keeping traffic generation within acceptable standards considering the predominance of family housing stock, especially on the interior lots. This may focus future development in the Outer Sunset in the already more densely developed areas along the major thoroughfare, Judah Street near La Playa.

"4. The area marked 'D' along La Playa, and Judah Street west of the commercial district at 46th Avenue, is appropriate for reclassification from R-4 and R-3, providing an adequate area for future apartment development in the Outer Sunset. The present R-4 density standard is clearly incompatible with the 40-foot height regulation in this area. R-3 classification provides reasonable development potential in this area which already has appropriately dense development along the Judah Street line.

"5. The area marked 'E' along 48th Avenue between Judah and Lawton Streets is an especially mixed-use area with stores, a skating rink and apartment buildings, and should remain R-3.

"6. The area marked 'F' along the east side of 48th Avenue between Kirkham and Lawton Streets, and the north side of Lawton Street west of 48th Avenue is recommended for reclassification to R-2 because it is still predominately one- and two-family dwellings."

Commissioner Rueda asked Mr. Steele to explain the status of apartment buildings which already exist on properties which would be "down-zoned" if the staff recommendation were accepted by the Commission. Mr. Steele replied that such buildings would become non-complying buildings under the terms of the City Planning Code. He stated that non-complying buildings may be rehabilitated and may be reconstructed if they are destroyed by fire or some other natural disaster; however, if they are demolished willingly by their owners, they cannot be rebuilt unless they are brought into conformity with the City Planning Code. He noted that some of the apartment buildings in the subject neighborhood may already be non-complying because of a shortage of required off-street parking spaces.

Commissioner Porter inquired about the status of commercial uses which presently exist in residential districts. Mr. Steele replied that such uses have a non-conforming status subject to a specific termination date which in most cases is May 2, 1980. He remarked, however, that many corner grocery stores do appear to be serving a very useful neighborhood function; and the possibility of retaining such uses is being considered during the course of the Residential Zoning Study.

Commissioner Fleishhacker asked if the proposed rezoning which had been recommended by the staff would have any effect on non-conforming commercial uses in the subject neighborhood. Mr. Steele replied in the negative.

Suzanne Ish, President of the Tides End Community Association, (TEKA) stated that she was generally pleased by the recommendation of the staff for rezoning of the Outer Sunset District; however, whereas the staff had recommended that 48th Avenue between Judah and Lawton Streets should retain its present R-3 zoning, she felt that that area should be rezoned to R-2. She remarked that most of the houses in that area are quite old; and, if the area were to remain R-3, she felt that the existing houses would eventually be torn down and replaced by big apartment buildings. She noted that petitions had previously been filed which had been signed by residents of that area who supported the request for reclassification to R-2.

Commissioner Porter noted that R-3 density standards had been reduced from one dwelling unit for each 400 square feet of lot area to one dwelling unit for each 800 square feet of lot area; and, in addition, the Interim Residential Zoning Controls provide that a 45-foot rear yard must be provided in an R-3 district. Under the circumstances, she asked what type of building could be constructed on an R-3 lot having dimensions of 25 feet by 100 feet.

Mr. Steele replied that 3 units would be permitted on a 2500 square foot lot under the R-3 density standard of one dwelling unit for each 800 square feet of lot area. On lots which have a depth of 120 feet, giving a total lot area of 3,000 square feet, 4 dwelling units would be permitted because R-3 density standards allow one dwelling unit for each 800 square feet of lot area or major fraction thereof.

Ms. Ish stated that she would still prefer that the properties on 48th Avenue be rezoned to R-2 even if the R-3 zoning would permit construction of only three- or four-unit buildings.

Joel Budgor, representing the Sunset Parkside Education and Action Committee (SPEAK) stated that the Board of Directors of his organization had considered various compromise proposals for the Outer Sunset rezoning; and they had seemed to feel quite comfortable with an alternative which was similar to the recommendation which had been made by the staff of the Department of City Planning. He felt that approval of the staff recommendation by the Commission would constitute a step in the right direction.

Arthur S. Hecht, 2550 Ortega Street, felt that the staff recommendation would be generally acceptable without any substantial changes; and he urged the Commission to act on the matter promptly.

Kenneth Brien, 1295 42nd Avenue, stated that he had received a notice of the proposed rezoning only two weeks prior to the Commission's meeting on September 4; and, since he was of the opinion that other concerned property owners had also been given inadequate notice, he requested that action on the proposal be deferred so that the opinion of other property owners could be solicited. He also remarked that the staff of the Department of City Planning had prepared its recommendation within two weeks of the public hearing which had been held by the Commission; and he felt that the staff could not have made a complete study of the matter in such a short time.

Mr. Steele stated that the subject application had been under study in the Department of City Planning for approximately four months. With regard to the issue of notice, he stated that while the City Planning Code requires that only a ten-day notice be given to property owners, notices had been sent by the Department of City Planning to property owners in the Sunset District in advance of that requirement. In addition, an advertisement had been placed in the City's Official Advertising newspaper; and notices of the hearing had been posted in the subject neighborhood.

Vice President Porter asked Mr. Brien if his concern was that the staff had recommended too much or too little R-2 zoning for the area. Mr. Brien replied that "down-zoning" under certain circumstances can be desirable; but he did not feel that the entire Outer Sunset should be rezoned to R-2. He suspected that most of the support for the "down-zoning" had come from tenants rather than from property owners; and he wished to have an opportunity to circulate petitions to property owners to get their views on the matter. If, as a result of those petitions, it became clear that the general consensus of property owners in the neighborhood is that property should be rezoned to R-2, he would support the staff proposal; but he felt that he should be given an opportunity to make sure that property owners in the area are aware of the proposal and to determine what their reaction to the proposal actually is.

Mr. Steele stated that all property owners in the subject neighborhood had received a letter dated March 27, 1975, advising them that the request for reclassification had been filed.

Mr. Brien stated that neither he nor his neighbors had understood the letter which they had received. His own problem was that he did not understand how approval of the staff recommendation would affect the dry cleaning shop which he owns. He stated that he had purchased the shop in 1950 when the property had been zoned for commercial use. However, the property had been rezoned to R-3 in 1960; and the present use of the facility is to be terminated in 1980.

Commissioner Rueda stated that the proposed rezoning would not affect the status of the dry cleaning shop in any way; however, recommendations which will be forthcoming from the Residential Zoning Study may make provision for continuance of such uses beyond 1980.

Mr. Steele confirmed that the desirability of retaining such uses is being given consideration during the course of the Residential Zoning Study; and he also noted that the City Planning Code presently provides that certain types of non-conforming uses may be extended beyond the 1980 termination date by the City Planning Commission if such a request is brought before the Commission in the form of a conditional use application. In any case, he emphasized that action by the Commission on the staff recommendation for rezoning in the Outer Sunset would not affect the status of Mr. Brien's dry cleaning shop in any way.

Mr. Brien stated that he was concerned not only about his own property but also about the property of his neighbors; and he again asked that he be given additional time to discuss the reclassification proposal with other property owners in the area.

Bob Davidson, director of ENERGY, a youth organization which is active in the Inner Sunset District, stated that his organization had supported "down-zoning" of the Inner Sunset area and was also in favor of the proposed "down-zoning" in the Outer Sunset District. When single-family dwellings and duplexes are demolished and replaced by multiple-unit buildings, large families tend to move into small apartment units; and, under such circumstances, family frictions inevitably develop. Those frictions cause problems not only for the neighborhood but also for the families and the young people his organization is trying to help. Therefore, since he favored retention of existing single-family dwellings, he supported the proposed "down-zoning" which was under consideration by the Commission.

Sonya Barrington, a home owner in the subject neighborhood, urged the Commission to accept the recommendation of the staff of the Department of City Planning.

Loius Naccarini, a property owner in the neighborhood, felt that the proposed "down-zoning" would increase property taxes in the area. Furthermore, if the zoning is changed, property owners will have no incentive to replace old and run down buildings with new and modern apartment buildings. In his opinion, the new apartment buildings have been good for the neighborhood; and he felt that areas which have been zoned R-3 should retain their R-3 zoning. He also agreed with Mr. Brien that many property owners have probably not understood the notices which they had received from the Department of City Planning concerning the rezoning; and he believed that the Commission should give more than two weeks consideration to the proposal.

Amalia Diaz, 1798 Great Highway at the corner of Noriega Street, stated that she, also, felt that the proposed rezoning had been supported basically by tenants and not property owners in the area; and she believed that property owners should be given additional time to familiarize themselves with the proposed rezoning.

Commissioner Rueda emphasized that the proposed reclassification would not affect Mrs. Diaz' property since that property has already been developed with an apartment building. After Mrs. Diaz had replied that she believed that the proposed "down-zoning" would lessen the future sales value of her property, Commissioner Rueda remarked that non-complying buildings usually increase in value because similar buildings cannot be constructed on adjacent properties.

Paul Feudner, owner of a single-family house on Lincoln Way, felt that the compromise proposal which had been recommended by the staff of the Department of City Planning would protect everyone's interest.

John Bardis read the following statement on behalf of the Coalition for San Francisco neighborhoods:

> "At its September meeting, the Coalition for San Francisco Neighborhoods discussed the joint zoning reclassification request from Sunset-Parkside Education & Action Committee (SPEAK) and the Tides End Community Assn. (TEKA) which is scheduled for your consideration on September 18th.
>
> "It was the feeling of the group present that excessive construction of apartment buildings in the Outer Sunset District will adversely affect the family orientation of the neighborhood. We, therefore, voted to endorse the application which provides for a reduction of the zoning from R-3 and R-4 to an R-2 level.
>
> "You are encouraged to consider that representative position when the matter is before you for a vote."

Speaking as an individual, Mr. Bardis informed Mrs. Diaz that apartment buildings in the Haight Ashbury neighborhood have increased in value since that district was "down-zoned" because there is a greater demand for the limited number of apartments which are available. He also remarked that the City had systematically demolished single-family and two-family dwellings in the Western Addition and the South of Market areas over the past twenty years; and, at the same time, private developers have demolished numerous single-family and two-family dwellings throughout the City. All of those single-family and two-family dwellings have been replaced with multiple-unit buildings; and he felt that developers would have no incentive to construct new single-family and two-family dwellings unless neighborhoods zoned R-3 and R-4 are "down-zoned".

Vice-President Porter asked what percentage of residential property in San Francisco is zoned R-1 or R-2. Mr. Steele replied that he would obtain that information and report on it later in the meeting.

Vice President Porter then asked Mr. Bardis if the various neighborhood associations which constitute the Coalition for San Francisco Neighborhoods have a tacit agreement among themselves that they will all support rezoning applications filed by one of their members. Mr. Bardis replied that the Coalition for San Francisco Neighborhoods is responding to a universal human need for residential neighborhoods with identifiable character; and they believed that other alternatives for new development exist which do not involve the destruction of buildings which have existed in the past. As a case in point, he noted that many low-income dwelling units were demolished in the South of Market area; and there is no feasible way for those dwelling units to be replaced in kind.

Arden Danekas, President of the Planning Association for the Richmond (PAR), stated that he felt that the "down-zoning" which had taken place in the Richmond District had had a beneficial effect on that neighborhood; and he indicated that property owners in the Richmond District are beginning to fix up their buildings. He believed that such results would benefit the City as a whole since the neighborhood will be maintained and will not become a burden for the City.

Mr. Steele stated that he had been provided with information indicating that 40% of the properties in the City are in residential use and that 31% of those properties are being used for R-1-D, R-1, and R-2 purposes.

Mrs. Bruton, 4033 Lincoln Way, stated that she had once enjoyed a beautiful view of the ocean from her house; but new apartment buildings which have been constructed in the area have blocked the view and have deprived her garden of sun. In addition, the neighborhood has become noisier since the apartment buildings were constructed. She urged the Commission to approve the subject application in order to discourage the construction of apartment buildings in the neighborhood in the future.

Greg Roderick, a member of the Tides End Community Association (TEKA) and a resident of the subject neighborhood, stated that he appreciated the fact that members of the Commission had made a field trip to the subject neighborhood to view the area; and he felt that the staff of the Department of City Planning had been very careful in their evaluation of the proposal and had done a thoroughly good job. The recommendation which had been offered by the staff seemed to be reasonable; and, in general, he hoped that it would be approved by the Commission. One suggestion which he wished to offer, however, was that the eastern side of the 1300 block of La Playa be rezoned to R-2. He remarked that the housing study which had been undertaken by the Sunset Parkside Education and Action Committee (SPEAK) had indicated that that particular block of La Playa is one of the two most densely populated blocks covered by the subject application; and he felt that it might be desirable to re-zone that block to R-2 to prevent any further increase in density. He also remarked that he had been pleased to hear Mr. Steele state that a maximum of three dwelling units could be constructed on a 2500 square foot lot which is zoned R-3 since a six unit apartment building is presently under construction on a lot of that size in the area; and he assumed that the building permit application for that building must have been filed before the Interim Residential Zoning Controls went into effect.

Tom Rickert, representing the Sunset Parkside Education and Action Committee (SPEAK), stated that he did sympathize with individuals who felt that inadequate notice of the Commission's consideration of the request for rezoning had been given; and he remarked that notification is always a problem. Nevertheless, he believed that the subject application had received considerably more publicity than similar applications which had been considered by the Commission in the past. He felt that the staff of the Department of City Planning had dealt in good faith with residents of the neighborhood as it studied the application; and he indicated that the members of his organization were basically positive towards the recommendation which had been given by the staff. He believed that the proposed "down-zoning" would encourage residents of the subject neighborhood to improve their property; but he acknowledged that other things need to be done in order to deal with the problems which exist in the vicinity of Ocean Beach.

Marcia Lindeen, also representing SPEAK, advised the Commission that the "down-zoning" in the Inner Sunset area had resulted in an increase of community activity and neighborhood beautification; and she felt that the proposed "down-zoning" would be beneficial for the subject neighborhood as well. She also remarked that people living in a single family house can have their living environment changed drastically if apartment buildings are constructed on both sides of their property.

Mr. Sacha, 1424 La Playa felt that the subject application covers too large an area to have been dealt with by the Commission in such a short time; and he urged that the matter be given further study. Particularly, he believed that the neighborhood merits and deserves some R-4 zoning to

provide one-bedroom and studio apartments which are needed in the Sunset District. He remarked that older houses in the neighborhood are occupied by people on welfare; and he was convinced that they would be able to find better low-cost housing in the Western Addition. He stated that he was not totally in disagreement with the recommendation of the staff of the Department of City Planning on the proposed rezoning; however, he felt that some R-4 zoning should be retained in the neighborhood.

Mr. Steele stated that he wished to comment on two areas of the subject neighborhood which had been mentioned specifically by individuals who had addressed the Commission. The first area was the 1300 block of La Playa. He stated that that block had been of especial concern to the staff; and he distributed photographs of the entire frontage of the block to members of the Commission. He acknowledged that the block does have a preponderance of single-family and two-family buildings, some of which are in good condition and some of which are not well maintained; however, because of the location of the block, the staff had felt that it should be included in an R-3 district. The second area which had been specifically mentioned was the 1500 block of 48th Avenue. Development on that block is comprised of a skating rink and a number of small apartment buildings. The staff had felt that the western side of that block has a sufficiently high-density character to warrant R-3 zoning even though R-2 zoning had been recommended as appropriate for properties on the east side of the street.

Commissioner Finn asked why the staff had recommended reclassification of four lots at the northwest corner of La Playa and Lawton Street from R-4 to R-2. Mr. Steele replied that the character of development on La Playa changes abruptly at that point; and the staff had felt that those four lots should be zoned R-2. He noted that the staff recommendation had also proposed that properties to the south and east of those lots be zoned R-2.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that Resolution No. 7375 be adopted and that the subject application be approved in part and disapproved in part as recommended by the staff of the Department of City Planning.

At 4:20 p.m. Vice President Porter announced a ten-minute recess. The Commission reconvened at 4:30 p.m. and proceeded with hearing of the remainder of the agenda. Commissioner Rueda was absent for the remainder of the meeting.

CONSIDERATION OF REPORT ON PENINSULA CORRIDOR TRANSPORTATION POLICIES.
(UNDER ADVISEMENT FROM MEETING OF SEPTEMBER 11, 1975)

Alan Lubliner, Planner III, summarized the recommendation which had been presented to the Commission on this matter during the meeting of September 11.

Commissioner Fleishhacker, noting that two of the policies which had been recommended by the staff addressed themselves to financial issues, questioned whether it would be appropriate for the Commission to endorse such policies.

Dean L. Macris, Director of Planning, stated that he would not want the Commission to endorse recommendations concerning fiscal policies if the Commission were to feel uncomfortable in that area. However, the recommendations had been discussed with the Director of Public Works and the General Manager of Public Utilities; and they had agreed that pursuit of those two fiscal policies would be desirable. He also noted that Commissioner Rueda, during the meeting of September 11, had expressed concern regarding the staff recommendation that San Mateo County should not unload bus passengers at the Daly City BART station. The reason for the staff recommendation was that it would be very difficult for San Francisco passengers to find seats on the BART system if the trains were loaded with San Mateo County commuters at the Daly City Station; and he emphasized that San Francisco had helped to finance the BART system whereas San Mateo County had not participated in the venture.

Dave Fulton, Planner II, remarked that a connection between a San Mateo County bus system and the Daly City BART station would also be the least acceptable alternative for getting San Mateo County residents to Downtown San Francisco from a transportation point of view.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the Commission endorse the policies, the intermediate range and interim alternatives, and the recommended next steps as suggested in the staff report.

The meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, September 25, 1975.

The City Planning Commission met pursuant to notice on Thursday, September 25, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, and John Ritchie, members of the City Planning Commission.

ABSENT: Hector E. Rueda, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; William Duchek, City Planning Coordinator; Charles Gill, City Planning Coordinator; Edward Michael, Planner III; Ralph Gigliello, Planner II; Paul Rosetter, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; June Miller represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on October 2, 1975.

2:15 P.M. - Room 282, City Hall

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the minutes of the meeting of August 14, 1975, be approved as submitted.

CURRENT MATTERS

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7376 be adopted to authorize Dean L. Macris, Director of Planning, to attend the annual conference of the American Institute of Planners in San Antonio, Texas, from October 25 through 29, 1975.

REPORT CONCERNING PETS UNLIMITED'S VIOLATION OF A CONDITION IN CITY PLANNING COMMISSION RESOLUTION NO. 6868 TO CONTROL NOISE FOR CONDITIONAL USE OF 2343 FILLMORE STREET.

CONSIDERATION OF TERMINATION OF CONDITIONAL USE AUTHORIZATION GRANTED TO PETS UNLIMITED FOR 2343 FILLMORE STREET IN ACCORDANCE WITH POLICY STATED BY COMMISSION ON SEPTEMBER 11, 1975.

Robert Passmore, Planner V (Zoning), reported that the dogs had been removed from the second floor of the building at 2343 Fillmore Street to Pets Unlimited's previous facility on Sacramento Street; and it was the opinion of the staff of the Department of City Planning that the animals should not be returned to the new facility until additional soundproofing work has been done and tests have been made which indicate that the soundproofing would be sufficient to protect the adjacent dwelling from the sound of barking dogs. He stated that Pets Unlimited is preparing plans for installing devices which are designed to deflect noise; however, since a building permit may be required for installation of the devices, the project may not be completed for a considerable period of time. He indicated that the Commission had also received a letter from Arthur Andreas, a resident of the neighborhood, concerning the inadequacy of off-street parking spaces for visitors to the Pets Unlimited facility and lack of maintenance of the facility's landscaping. The staff had brought those issues to the attention of Pets Unlimited; and he felt that changes could be made to correct those problems. The staff of the Department of City Planning was of the opinion that Pets Unlimited is not currently in violation of the conditions which had previously been established by the Commission; and, therefore, it was the recommendation of the staff that the conditional use authorization not be terminated at this time.

During the course of Mr. Passmore's presentation, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Porter, noting that Mr. Passmore had stated that the dogs had been removed from the second floor of the building, inquired if dogs are still present on the first floor of the building. Mr. Passmore replied that the first floor of the building is used as an animal hospital; and any dogs which might be housed in that area are far removed from adjacent properties. He stated that no sound of dogs barking within the building had been heard outside of the building since the dogs had been removed from the second floor.

Commissioner Fleishhacker, noting that Pets Unlimited had apparently removed the dogs from the second floor of the building voluntarily, asked how the Commission could be assured that the dogs would not be returned to the facility before work on the soundproofing is completed. Mr. Passmore replied that the staff of the Department of City Planning would go to the City Attorney immediately if any complaints are received about barking dogs within the facility; and the City Attorney's Office had indicated that they would take rapid action to obtain an injunction to have the source of noise removed from the building.

Commissioner Porter stated that she felt that the conditional use authorization for the facility should be terminated if Pets Unlimited is unable to control the problem.

Commissioner Ritchie stated that he, also, would be in favor of terminating the conditional use authorization if Pets Unlimited has not done what they said they would do. However, before taking such action, he wished to know whether the Commission had taken any action which would make it liable for any financial losses which might be sustained by Pets Unlimited if the authorization were terminated.

President Newman remarked that there seemed to be no immediate problem since the dogs had been removed from the building. However, if the dogs should be returned, and if their barking should still be heard by residents of the adjacent building, he would be prepared to vote for termination of the conditional use authorization.

Dean L. Macris, Director of Planning, referring to the question of liability which had been raised by Commissioner Ritchie, stated that it was assumed that the Commission had followed due process in dealing with Pets Unlimited; and, as a result, it would have no liability for any financial losses which might be sustained by Pets Unlimited if the conditional use authorization were terminated because of Pets Unlimited's failure to comply with the conditions which had been established by the Commission. It was his recommendation that the conditional use authorization not be terminated at the present time because Pets Unlimited was not in violation of the

conditions which had been established by the Commission. However, if the problem were to recur, the Commission would still be in a position to terminate the conditional use authorization.

President Newman remarked that it should be clearly understood by Pets Unlimited that the Commission will terminate the conditional use authorization if the noise problem recurs. He indicated that the Commission had received letters complaining about the Pets Unlimited facility from Arthur Andreas, Howard W. Davis, Don Bartlett Van Derby and John L. Field. On the other hand, Pets Unlimited had submitted petitions which had been signed by approximately 150 individuals who subscribed to the following statement: "Undersigned has heard no noise emanating from the Pets Unlimited Medical Adoption Center located at 2343 Fillmore Street. We believe this facility to be a desirable asset to this neighborhood." While the petition had not been signed by any immediate neighbors, most of the signators appeared to live in Pacific Heights.

Commissioner Fleishhacker remarked that one of the individuals who had signed the petition had given a Lincoln Way address. He indicated that he was prepared to support the recommendation which had been made by the Director of Planning; however, he felt that the Commission's action should be framed in the form of a resolution which would make it clear that the conditional use authorization might be terminated at a later date if the noise problem recurs.

Commissioner Finn suggested that the Commission might wish to establish a time limit for the building to be brought into conformance with the noise standards established by the Commission when the conditional use was authorized. Otherwise, he felt that a situation might develop in which the dogs would be shuttled back and forth between the new facility and the previous facility on Sacramento Street.

Mr. Passmore stated that the staff of the Department of City Planning was of the opinion that the dogs should not be returned to the Fillmore Street facility until soundproofing work has been completed and tests have been made to demonstrate that the soundproofing should be sufficient to protect adjacent dwellings from the sound of barking dogs.

Commissioner Ritchie felt that the Commission should specify that the soundproofing work will be completed within 60 days. Commissioner Porter believed that Pets Unlimited should be able to complete the work within 30 days.

Commissioner Mellon stated that he did not feel that the time element was of major importance as long as the Commission took the position that the dogs should not be returned to the new facility until adequate soundproofing work has been done.

After further discussion, it was moved by Commissioner Mellon and seconded by Commissioner Fleishhacker that a resolution with the following resolves be adopted:

"NOW THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby instruct the staff of the Department of City Planning to make certain that the dogs are not returned to the facility at 2343 Fillmore Street until additional soundproofing has been installed and tests have been undertaken which establish that the soundproofing will be adequate to assure the facility's compliance with the conditions established by the Commission in Resolution No. 6868; and

"BE IT FURTHER RESOLVED, That the Commission does hereby confirm its intention to enforce the conditions established in Resolution No. 6868 and does hereby announce its intention to terminate the conditional use authorization granted by that resolution if the noise problem should recur at any time in the future."

Commissioner Porter noted that representatives of Pets Unlimited as well as residents of the neighborhood were present in the audience; and she indicated that she would like to hear from them before voting on the matter.

Neil Glerum, President of Pets Unlimited, emphasized that no one in the subject neighborhood, with the exception of occupants of the building immediately west of the new facility, could claim that they had been bothered by the noise of barking dogs; and he noted that petitions had been signed by approximately 150 residents of the neighborhood indicating that they had no objection to the facility. Furthermore, he advised the Commission that Pets Unlimited had offered to meet with the owner of the adjacent parcel of property and representatives from the staff of the Department of City Planning to explore the various possibilities for correcting the noise problem. He remarked that the facility has been brought into conformity with the City's Noise Ordinance; and, in spite of the fact that remarks had been made by members of the staff of the Department of City Planning during the Commission's hearing on April 24 to the effect that the Noise Ordinance was more stringent than the standards which had been established by the Commission when it had granted the conditional use authorization for the facility, the Commission was now requiring that further soundproofing be installed even though the standards of the Noise Ordinance had been met. In effect, Pets Unlimited was being required to soundproof its building so that no noise whatsoever should escape; and, in that regard, he read the following paragraph

from the minutes of the Commission's meeting on April 24: "Commissioner Fleishhacker stated that he felt that he was being misquoted by Mr. Andreas since it would be impossible to design the facility in such a way that no odors or sound would be emitted; and he believed that what he had actually said was that it was the intent of the Commission that the facility should be designed in such a way that no offensive odors or disturbing noises would be emitted."

Commissioner Fleishhacker observed that the City's Noise Ordinance had not been in existence when the Commission had established noise standards for the Pets Unlimited facility; and, as a result, he did not feel that comparison of the two controls was pertinent to the matter presently under consideration by the Commission.

Mr. Glerum stated that he felt that it was unfair that Pets Unlimited was being required to conduct its operation in absolute silence, since even single-family homes would not meet that criterion. Furthermore, he remarked that the Commission's action granting the conditional use authorization for the facility had not been appealed by residents of the neighborhood; and he felt that the complaints which had been lodged recently represented an indirect effort to effect an appeal which should have been made 3½ years ago. In conclusion, he stated that it had been Pets Unlimited's understanding that the conditions which had been established by the Commission when the conditional use was authorized would prevent the facility from increasing the average level of sound which exists at any time of day in the neighborhood; and it had not been clear that the Commission had intended that the facility should be operated in absolute silence.

Commissioner Porter stated that she had voted against granting the conditional use authorization to Pets Unlimited not because she had been opposed to that use of the building with adequate soundproofing but because of her lack of confidence in Pets Unlimited which had shown a complete disregard for residents of the neighborhood in which it had previously been located. However, the authorization had been granted; and, after the facility was completed, residents of Washington Street had been disturbed by the sound of barking dogs. Under the circumstances, she felt that Pets Unlimited should be proceeding with all possible speed to install adequate soundproofing in the building so that the facility will no longer be a nuisance.

Mr. Glerum stated that he was prepared to meet with the owner of the adjacent property and with the staff of the Department of City Planning to discuss the matter; and he was hopeful that agreement could be reached on the steps to be taken.

President Newman felt that it was the responsibility of Pets Unlimited to proceed independently to install effective soundproofing in its building. He felt that the time for words had stopped and that the time for action had almost run out; and he asked if Pets Unlimited intends to correct the problem.

Mr. Glerum replied that Pets Unlimited intends to correct the problem as it relates to the immediately adjacent property; but he denied that the facility has been a nuisance for the general neighborhood.

President Newman then asked if Pets Unlimited would agree that the dogs will not be returned to the facility until every possible step has been taken to adequately soundproof the building.

Mr. Glerum replied that he would agree that the dogs would not be moved back into the facility until the matter has been discussed with the staff of the Department of City Planning; and if the staff is opposed, the dogs will not be returned.

Arthur Andreas, a resident of the neighborhood, acknowledged that the noise problem had been limited to the immediately adjacent building recently; however, when the Pets Unlimited facility was first occupied, residents living on the opposite side of Washington Street had complained about the noise problem. He indicated that no more than one-third of the cages in the facility had yet been occupied; yet, residents of the neighborhood had experienced noise problems and odor problems as well. Under the circumstances, he wondered what the situation would be like when all of the cages are filled. He emphasized that adequate soundproofing had not yet been installed; and he questioned whether the problem would ever be corrected. Therefore, he requested that the conditional use authorization for the kennel be revoked but that the hospital be allowed to remain in the building. He stated that information had been provided to the staff of the Department of City Planning by a private acoustical consultant who had been hired by residents of the neighborhood; and he believed that that information had not even been considered by the staff. Furthermore, the staff had failed to notify residents of the neighborhood when tests were to be conducted; and he asked that the Commission instruct the staff to notify residents of future tests so that they can have their own consultant present when the tests are conducted.

The Director stated that he did not feel that Mr. Andreas' concerns had been misrepresented or denied. He emphasized that the dogs had been removed from the facility; and he asked Mr. Andreas to be patient with the staff as it attempts to resolve the soundproofing problem. He then promised that the staff would advise

Mr. Andreas of any future tests to be made on the site; and it would permit him to be present at the tests with his consultants so long as they do not interfere with the conduct of the tests.

After further discussion, the question was called and the Commission voted unanimously to adopt Resolution No. 7377 with the resolved clauses cited previously in these minutes.

DISTRIBUTION OF STATUS REPORT ON NORTHERN WATERFRONT IMPROVEMENT PLANNING.

Dean L. Macris, Director of Planning, distributed copies of the report and indicated that he would be prepared to respond to any questions which might be raised by members of the Commission at next week's meeting.

EE75.298 - PUBLIC HEARING ON AN APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE DEPARTMENT OF CITY PLANNING FOR MODIFICATIONS AND ADDITIONS TO THE EXISTING FLIGHT KITCHEN AT THE SAN FRANCISCO INTERNATIONAL AIRPORT, PLOT 4.

EE75.300 - PUBLIC HEARING ON AN APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE DEPARTMENT OF CITY PLANNING FOR THE CONSTRUCTION OF A NEW COMMISSARY BUILDING OF 37,607 SQUARE FEET WITH 97 OFF-STREET PARKING SPACES AT THE SAN FRANCISCO INTERNATIONAL AIRPORT.

President Newman read the following letter which had been received from William F. Powers, Assistant Planning Director of the Planning Department of the County of San Mateo:

"Planning Department staff has made a new analysis of the environmental impact of two private projects at San Francisco Airport for which Negative Declarations were issued on August 29 (Projects EE 75.298 and EE 75.300), based on new information received from the Department of City Planning on September 22. The additional analysis indicates that the intent of the projects is largely to replace existing facilities operated by United Airlines and Host International. There will be a minute increase in the number of employees as a result of these projects. It is for these reasons that San Mateo County Planning Department finds the Negative Declarations to be the appropriate environmental documents for these projects and withdraws its appeals to the San Francisco City Planning Commission."

President Newman then asked if any members of the audience wished to address the Commission on these matters and received a negative response.

It was moved by Commissioner Finn, seconded by Commissioner Porter, and carried unanimously that the request for withdrawal of the appeal of EE75.298 be approved.

Subsequently, it was moved by Commissioner Finn, seconded by Commissioner Porter, and carried unanimously that the request for withdrawal of the appeal of EE75.300 be approved.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

LM75.6 - PUBLIC HEARING ON PROPOSAL TO DESIGNATE AS A LANDMARK THE ALFRED E. (NOBBY) CLARKE MANSION, 250 DOUGLASS STREET.

Robert Passmore, Planner V (Zoning), described the architectural and historic characteristics of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark.

President Newman asked if anyone in the audience wished to object to the proposal to designate the building as a Landmark and received a negative response.

It was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7378 be adopted and that the proposal to designate the Alfred E. (Nobby) Clarke Mansion, 250 Douglass Street, as a Landmark be approved.

LM75.7 - PUBLIC HEARING ON PROPOSAL TO DESIGNATE AS A LANDMARK THE ALBERT S. SAMUELS CLOCK LOCATED IN THE SIDEWALK AREA, NORTH SIDE OF MARKET STREET BETWEEN POWELL AND STOCKTON STREETS, IN FRONT OF 856 MARKET STREET.

Robert Passmore, Planner V (Zoning), distributed a picture of the clock and explained why the Landmarks Preservation Advisory Board had recommended that it be designated as a landmark.

Albert S. Samuels, Jr. remarked that the clock has been a vital part of San Francisco since 1915; and he indicated that he was delighted that the Landmarks Preservation Advisory Board had recommended that it be designated as a Landmark.

No one else was present in the audience to be heard on this matter.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7379 be adopted and that the proposal to designate the Alfred S. Samuels Clock in front of 856 Market Street as a Landmark be approved.

LM75.8 - PUBLIC HEARING ON PROPOSAL TO DESIGNATE AS A LANDMARK THE SUNNYSIDE CONSERVATORY, 236 MONTEREY BOULEVARD.

Robert Passmore, Planner V (Zoning), described the architectural and historic characteristics of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a landmark.

An individual who was present in the audience representing his father, stated that there would be objections from businessmen in the area if the conservatory building were used for commercial purposes.

Robert Anderson, owner of the subject property, indicated that he was not opposed to designation of the building as a Landmark; however, he was concerned about finding a satisfactory use for the building so that it does not become a financial burden. Since the property is zoned for residential use, the only way for the conservatory to be used as a nursery or for some other commercial activity would be for the Commission to grant conditional use authorization for such a use; and he urged that the Commission give consideration to such a proposal. He stated that it was his intention to preserve the conservatory and the palm trees on the site; but the building must be put to some economic use if it is to be retained. He also distributed a map of the subject property, noting that a portion of the conservatory extends onto property which would be the rear yard of an adjacent house if the single lot were to be subdivided into two lots; and he requested that the legal description of the property to be designated as a landmark be worded in such a way that it would not interfere with such a subdivision at some future date.

Mr. Passmore replied that it would be possible to word the legal description of the property to be designated in such a way that it would not interfere with such a subdivision.

Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, confirmed that the present use of the conservatory building is not adequate to finance proper maintenance; and she felt that the Commission should deal with the issue of alternate uses for such buildings, hopefully during the course of the Residential Zoning Study.

Judith Hunt, 280 Monterey Boulevard, stated that she felt that the Sunnyside Conservatory is truly a landmark; but she was concerned about the fact that members of the public have no access to the building or its grounds. She felt that it might be possible to use the building for a branch library or some other public use; and she hoped that other individuals would be able to offer other suggestions for use of the building. She also indicated that she would be willing to support rezoning of the property so that the building and grounds could be used for a nursery; however, she felt that other types of commercial uses might be inappropriate.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7380 be adopted and that the proposal to designate the Sunnyside Conservatory, 236 Monterey Boulevard, as a Landmark be approved. The Commission also instructed Mr. Passmore to work with Mr. Anderson in preparing the legal description of the property to be designated.

LM75.9 - PUBLIC HEARING ON PROPOSAL TO DESIGNATE AS A LANDMARK THE MILLER-JOOST HOUSE, 3224 MARKET STREET.

Robert Passmore, Planner V (Zoning), described the architectural and historic characteristics of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark.

Mrs. David Clayborn Mosby, owner of the subject property, stated that she felt that the Joost family had made a great contribution to San Francisco; and she felt that the house should be designated as a Landmark.

No one else was present in the audience to be heard on this matter.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7381 be adopted and that the proposal to designate the Miller-Joost House, 3224 Market Street, as a Landmark be approved.

EE74.224 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR TWO HIGH-RISE OFFICE BUILDINGS LOCATED IN THE BLOCK BOUNDED BY MARKET, MISSION, FREMONT AND BEALE STREETS.

Paul Rosetter, Planner II, summarized the Environmental Impact Report and text amendments which had been prepared by the staff of the Department of City Planning for incorporation into the report. Following his presentation, he responded to questions raised by members of the Commission.

Sue Hestor, representing San Francisco Tomorrow, commented on various aspects of the report.

No one else was present in the audience to be heard on this matter.

Selina Bendix, Environmental Review Officer, responded to the comments which had been made by Ms. Hestor and indicated that she did not feel that the comments necessitated substantive changes in the report.

Dean L. Macris, Director of Planning recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated September 25, 1975, concerning EE74.224, High Rise Office Buildings at 345 Market Street and 45 Fremont Street, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7382.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At 4:20 p.m. President Newman announced a 10-minute recess. The Commission reconvened at 4:30 p.m. and proceeded with hearing of the remainder of the agenda.

DR75.2 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 450853 FOR OFFICE BUILDING TO BE LOCATED AT 45 FREMONT STREET.

William Duchek, City Planning Coordinator, stated that the proposed building is one of the buildings which was covered in the Environmental Impact Report which had just been considered by the Commission. He then displayed and described a sketch and a model of the proposed building which would be 35-stories high with dimension of 125 feet by 155 feet for a total area of 685,000 square feet of floor area. The building would have a height of 475 feet while the City Planning Code would have permitted a height of 600 feet. An arcade would surround the entire base of the building would be paved predominantly in brick with granite steps. In conclusion, he stated that the subject application did not involve provision of any off-street parking spaces.

No one was present in the audience to address the Commission on this matter.

President Newman stated that the Commission was concerned about the amount of consumer usable retail space being provided in new office buildings; and he asked if the developers had given the Department of City Planning any assurances that retail space would be provided on Market Street.

Dean L. Macris, Director of Planning, replied that the specific building presently under consideration would not have a direct Market Street frontage; however, a future building, covered by the Environmental Impact Report, was being considered for construction on Market Street. He stated that he had met with the developers to emphasize that the staff of the Department of City Planning did feel that it was extremely important that retail space should be provided on Market Street. In that regard, he stated that he had received a letter from R.F. Grambow, Vice President of the Bechtel Corporation, advising him that the joint venture group had purchased a long-term leasehold interest held by Greyhound in the property at the corner of Market and Fremont Streets; and, as a result, the size and configuration of the new building to be constructed on Market Street will be revised. The Director stated that the staff of the Department of City Planning would be involved in the

revision of those plans; and he felt that the minutes should reflect the fact that he felt that substantial retail space should be provided in that building.

President Newman asked if the developers would be willing to provide substantial retail space in the new building to be constructed on Market Street.

Stanley Berger, Project Manager, acknowledged that the staff of the Department of City Planning had made its position regarding provision of retail space known; and he indicated that he concurred with the staff that ample retail facilities should be provided. He also reported that preliminary criteria which had been given to the design team did involve provision of ample retail facilities.

Commissioner Fleishhacker observed that plans for the new building to be constructed on Market Street will come before the Commission for discretionary review; and, at that time, the Commission would have the authority to insist on modification of the plans. If the developers feel that they cannot redesign their buildings at that point in time, the Commission would be placed in a position of having to disapprove the building permit application. Under the circumstances, he felt that it was important for the developers to understand that the Commission intends to insist that the building contain a substantial amount of retail space; and he suggested that the building should be designed accordingly.

Mr. Berger stated that he understood the sentiment of the Commission; and he indicated that the plans for the building would be prepared with that sentiment in mind.

Mr. Duchek stated that it was the recommendation of the Director of Planning that the building permit application be approved subject to nine specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that a tenth condition be added to read as follows:

> "9. Prior to commencement of building construction, the project sponsor shall co-ordinate construction activity with the Municipal Railway and the Department of Public Works so that said construction will not interfere with transit operations on adjacent streets."

Commissioner Ritchie stated that he was concerned about Conditions No. 7 and 8 in the draft resolution, which read as follows:

"7. Mid-block pedestrian circulation paths between Market and Mission Streets and Beale and Fremont Streets shall be provided in the overall development of Assessor's Block 3710 and no features shall be approved for any building which would preclude such access.

"8. Sidewalks and mid-block pedestrian circulation paths shall be of sufficient width to accommodate pedestrian traffic to and from the Trans-Bay Terminal and Market, the Embarcadero BART Station and north of Market Street area. Pedestrian circulation paths shall have substantial weather protection through the provision of building arcades or canopies.

Commissioner Ritchie emphasized that the subject block is privately owned; and, by requiring the developers to provide public access across their property, the Commission would, in effect, be obligating the developers to provide easements across the site in perpetuity. If the developers wished to provide such access of their own accord, they should be permitted to do so; however, since the Commission had not required other property owners to provide such easements in the past, he felt that the easement should not be required in the present instance. He suggested that Conditions No. 7 and 8 should be deleted from the draft resolution.

The Director stated that the staff, in proposing the conditions which were contained in the draft resolution, was trying to achieve quality of design; and he felt that the Bechtel Corporation, also, has an interest in seeing that the project is well-designed. He stated that he recognized the private rights inherit in private property. However, he emphasized that the subject property is in a very sensitive area of the City; and, if the Trans-Bay Terminal becomes a more important facility in the future, a pedestrian route between that facility and the BART Station on Market Street might be quite important. He emphasized that tall buildings require special facilities for pedestrian circulation; and he felt that it was incumbent on the staff of the Department of City Planning to assure that adequate facilities for pedestrian circulation are provided in the subject block. He noted that there are legal means by which property owners can preserve their rights; and he felt that the representatives of the Bechtel Corporation were in agree-

ment with him that the proposed pedestrian circulation paths would be desirable.

Dick Randle, representing the Bechtel Corporation, acknowledged that the pedestrian circulation paths would be desirable; however, since the new building to be constructed on Market Street will be sponsored by a joint venture, he could make no commitment with regard to the provision of mid-block pedestrian circulation paths between Market and Mission Streets. He assumed, however, that that building would provide adequate open space.

Commissioner Ritchie stated that he appreciated the remarks which had been made by the Director; but he continued to feel that the wording of Conditions No. 7 and 8 might compromise the Bechtel Corporation's private right to close the pedestrian paths in the future.

Commissioner Finn stated that the Bechtel Corporation could prevent the creation of a permanent easement by posting the pedestrian circulation paths with notices that they are privately-owned property.

Commissioner Porter stated that she objected to the portion of Condition No. 8 of the draft resolution which would require the pedestrian circulation paths to have substantial weather protection through the provision of building arcades or canopies. She felt that the requirement for provisions of such features might cause problems in the design of the building.

The Director stated that he would not object if that requirement were deleted from the draft resolution. However, he did feel strongly that maximum provision should be made for pedestrian circulation on the block.

President Newman remarked that the Environmental Impact Report as well as the sketch and the model of the proposed building indicated that the mid-block pedestrian circulation paths would be provided; and, under the circumstances, it was apparent that the Bechtel Corporation was agreeable to the suggestions which had been made by the staff of the Department of City Planning.

Commissioner Ritchie stated that his concern would be satisfied if the following sentence were added to both Condition No. 7 and Condition No. 8 of the draft resolution: "It is not intended that this paragraph shall create permanent public easements across this private property". Other members of the Commission agreed to amend the draft resolution accordingly.

President Newman then asked if the conditions of the draft resolution, as modified, would be acceptable to the applicant. Mr. Randle replied that he still had reservations concerning the weather protection required by Condition No. 8 of the draft resolution. However, he felt that the language of the condition would be acceptable if it were modified to read as follows: "Pedestrian circulation paths shall have substantial weather protection through the provision of building arcades or canopies, insofar as practicable".

The Director and members of the Commission agreed that the language proposed by Mr. Randle would be acceptable.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the draft resolution, as amended, be adopted as City Planning Commission Resolution No. 7383 and that the building permit application be approved subject to the conditions which had been recommended by the staff of the Department of City Planning, as revised.

R118.75.14 - PUBLIC HEARING ON MASTER PLAN CONSISTENCY OF THE TENTATIVE MAP OF THE ST. MARY'S PARK SUBDIVISION OF TWO LOTS INTO NINE LOTS.

Ralph Gigliello, Planner II, referred to land use and zoning maps to describe the subject property which consists of two irregular parcels, one on the north side of Justin Drive with an area of approximately 20,000 square feet and the other on the south side of Justin Drive with an area of approximately 4,700 square feet. The larger parcel is presently zoned R-1-D; and the smaller parcel is zoned R-1. The sites are presently vacant. The proposed subdivision of the two existing lots into nine smaller lots would permit the construction of nine single-family row houses. The new lots would measure from approximately 2,300 to 3,900 square feet. Frontages on Justin Drive would range from 8 feet to 72 feet. For lots with frontages less than 25 feet, the houses would be setback to that point where the lot measures 25 feet in width. The parcels are located in the St. Mary's Park Subdivision, an area consisting of single-family houses, some detached and others attached.

Orville Le Nowe, surveyor for the developer, stated that they were merely requesting re-establishment of the lot lines which had existed when the subject properties were purchased by the State for construction of the Southern Freeway.

Marie Judnich, 54 Benton Avenue, submitted a photograph of the subject site with her own house appearing in the background and emphasized that the houses in her block are detached. She stated that she was concerned because it appeared that the lots in the proposed subdivision would not be sufficiently wide to permit the construction of detached houses.

Richard Ratto, the applicant, stated that he had purchased the subject properties from the State; and his proposal was to recreate a lot pattern which had previously existed with only a couple of minor variations. He advised the Commission that he had had plans and a building permit to construct dwelling units on the lots in 1965; and, in fact, he had installed some foundations and the water meters for the project at that time. Because of a slump in the real estate market, he had abandoned the construction project; but he had been paying taxes on nine lots during the interim period.

President Newman asked if anything could be done to satisfy the objection which had been raised by Mrs. Judnich. Robert Passmore, Planner V (Zoning), replied that the Commission could require the lots in the subdivision to have a width greater than 28 feet, the lot width threshold at which R-1-D requires the provision of side yards the Commission could undertake discretionary review of the building permit applications to require side yards on lots narrower than 28 feet in width.

Commissioner Finn asked Mrs. Judnich to indicate the width of her lot. Mrs. Judnich replied that her lot is 28 feet wide. A neighboring property owner stated that her lot is 30 feet wide.

Commissioner Fleishhacker observed that even if side yards were required, they would be extremely narrow.

Dean L. Macris, Director of Planning, recommended that the proposed subdivision be approved as in conformity with the Master Plan subject to two specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7384 and that the proposed subdivision be approved as in conformity with the Master Plan subject to the conditions which had been recommended by the staff.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 2, 1975.

The City Planning Commission met pursuant to notice on Thursday, October 2, 1975, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, and Thomas J. Mellon, members of the City Planning Commission.

ABSENT: John Ritchie and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); Janis Birkeland, Planner III-Urban Design; Alan Billingsley, Planner II; Robert Feldman, Planner II; Paul Rosetter, Planner II; Nathaniel Taylor, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

The Director reported that presentation of revisions to the Inner Mission Plan, originally scheduled for October 9, will be postponed until November 13.

The Director informed the Commission that the Board of Supervisors, meeting on Monday, had approved a resolution adopting as its priority the extension of BART to the San Francisco Airport. He indicated that the staff of the Department of City Planning had testified on that matter, using the policies recently adopted by the Commission relative to transit on the peninsula.

The Director noted that the Commission had received a request to conduct a discretionary review of plans for a Doggie Diner proposed for property located at 19th Avenue and Irving Street; and he indicated that the request will be scheduled for consideration by the Commission on October 16.

The Director advised the Commission that the Board of Supervisors, acting on Monday, had approved the Public Improvements Plan for the Inner Richmond RAP Project. The area involved is bounded by 6th Avenue, Fulton Street, 12th Avenue and Geary Boulevard. The improvements contemplated include such things as traffic diverters and landscaping.

The Director reported that the Board of Supervisors had also passed a resolution requesting San Mateo County to undertake additional environmental evaluation to measure more extensively the impact of the proposed San Bruno

Mountain development in San Francisco. In addition, the Board had requested the Association of Bay Area Governments (ABAG) to undertake a special evaluation as to the regional significance of the project.

The Director announced that the staff will present proposed revisions to the Residence Element of the Comprehensive Plan on October 9. The presentation will be followed by a public hearing at 1:00 p.m. on October 30 and a second public hearing to be held during the evening on a date still to be established.

2:30 P.M. - Zoning Hearing

ZM-75.13 - PACIFIC AVENUE, NORTH LINE, BETWEEN BAKER AND BRODERICK STREETS.
R-4 TO AN R-1-D DISTRICT.
(Under Advisement from meeting of August 7, 1975)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), noted that this matter had been taken under advisement from the meeting of August 7 at the request of the Board of Education. When the matter had been before the Commission on that date, public testimony had been received; and the Director of Planning had recommended that the request for reclassification of the property to R-1-D be approved. He also noted that Commissioner Porter had asked what type of development might occur on the property under various zoning classifications; and, in response, he reported that the subject property could be developed with 7 dwelling units if it were zoned R-1-D, 9 dwelling units (or 10 with a variance) if the property were zoned R-1, and approximately 20 units if the property were zoned R-2.

Commissioner Fleishhacker asked if the densities which had been cited by Mr. Steele pertained to the entire Grant School site. Mr. Steele replied in the negative, indicating that they pertained only to the portion of the site which had been included in the subject application. He remarked, however, that he felt that the entire site should be developed by a single developer; and he suggested that the action taken by the Commission on the rezoning at the present time be regarded as a "holding action" pending completion of the Residential Zoning Study in which special attention will be given to large sites which are not large enough to qualify for plan unit development studies.

Commissioner Porter observed that the property might be subdivided into individual lots and sold to several individuals. Mr. Steele acknowledged that that was a possibility; but he believed that a better design might be achieved for the buildable areas of the site if the parcel were developed by a single developer.

President Newman, noting that the staff had recommended that the property be rezoned to R-1-D, asked if there was any reason why the property could be developed as a single entity if the Commission should decide to rezone it to

R-1 or R-2 rather than R-1-D. Mr. Steele replied in the negative indicating that he regarded the rezoning to be a "holding action" in any case. He stated that the staff was not as much concerned with the specific zoning which is assigned to the property at the present time; however, the staff did feel that the Grant School site should eventually be subjected to a single zoning classification.

In that regard, he noted that the northern half of the site is presently zoned R-1-D.

Stephen Huahn, representing the Board of Education, stated that the staff's recommendation for reclassification of the property to R-1-D was acceptable. He remarked that the Board of Education owns only a portion of the site and a remainder of the property is owned by the City and County.

William S. Clark, President of the Cow Hollow Improvement Association stated that he had met with representatives of their neighborhood organizations and with the Superintendent of Schools and the President of the Board of Education since the last time this matter was before the Commission. They had agreed that they would like to have the property reclassified to R-1 but they would not oppose to reclassification of the property to R-1-D. After Commissioner Fleishhacker had observed that the Cow Hollow Improvement Association had filed the subject application requesting reclassification of the property to R-1-D, Mr. Clark stated that the members of his organization would be satisfied if the property were rezoned to R-1-D, R-1 or R-2. He indicated that the northern half of the block had not been included in the subject application because existing development of those properties is clearly R-1-D in character.

Commissioner Fleishhacker remarked that if the property were to be reclassified to R-1-D at the present time the Commission might have difficulty explaining its reasons for wanting to rezone the property to R-1 or a higher density in the future. He emphasized that R-1-D zoning is the most restrictive zoning classification; and he felt that R-1 zoning would be more appropriate for the subject property. He also emphasized that R-1 zoning would not prevent a developer from constructing R-1-D homes.

President Newman stated that he agreed with Commissioner Fleishhacker; and he pointed out that quality development has taken place under R-1 zoning in the subject neighborhood recently.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7385 be adopted and that approval be given to reclassification of the subject property to R-1.

ZM75.14 - 1290 EGBERT AVENUE, SOUTH SIDE OF INGALLS STREET AND SOUTHWEST SIDE OF DONNER STREET.
R-1 TO AN M-1 DISTRICT.
(Under Advisement from meeting of August 7, 1975)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that this matter had been taken under advisement from the meeting of August 7, 1975, pending completion of the staff's environmental evaluation of the proposal period.

Stephen Huahn, representing the Board of Education, the applicant, stated that the voters had approved a bond issue which provided funds for constructing a facility on the subject property which would fill the nutritional needs of all school children in San Francisco. The proposed facility would also be able to provide food at cost to charitable organizations; and it would include classroom where students could be trained for jobs in private industry. He also advised the Commission that the portion of the site facing a residential district across the street would be developed as a playground.

Commissioner Fleishhacker asked if the school district has a training program in food production at the present time. Mr. Huahn replied in the affirmative but indicated that training is given only during the evening.

President Newman asked if the proposed facility would generate a great deal of traffic. Mr. Huahn replied in the negative.

No one else was present in the audience to be heard on this matter.

Mr. Steele stated that it was the recommendation of the Director of Planning that the proposal to reclassify the subject property from R-1 to M-1 be approved.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7386 be adopted and that the proposal to reclassify the subject property from R-1 to M-1 be approved.

CU75.39 - FOLSOM STREET, SOUTHEAST CORNER OF 20TH STREET.
REQUEST FOR AUTHORIZATION FOR AN OFF-STREET PARKING LOT;
IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 30-foot frontage on Folsom Street and a 69-foot frontage on 20th Street for a total area of 2,277 square feet. The property is presently vacant but has been paved to make it suitable for a parking lot. The applicant proposed to create an 8 to 10 space parking lot with access on both Folsom

and 20th Streets, with appropriate landscaping, for the convenience of patrons of his delicatessen across the street. Mr. Steele stated that negative declaration had been issued by the staff of the Department of City Planning on September 5, 1975.

Febronio Ontiveros, the applicant, stated that he was present to answer any questions which might be raised by members of the Commission.

No one else was present in the audience to be heard in support of or opposition to the subject application.

President Newman, noting that the property is already being used as a parking lot, asked if approval of the subject application would result in any changes other than legalization of the use. Mr. Ontiveros replied that he would install landscaping on the property if the subject application were to be approved.

Mr. Steele stated that it was the recommendation of the Director of Planning that the subject application be approved subject to 4 specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff were acceptable to the applicant. Mr. Ontiveros replied in the affirmative.

Commissioner Fleishhacker noting that Condition No. 1 of the draft resolution specified that the parking was to be used only by customers of the applicant's business at 2399 Folsom Street asked how that condition could be enforced. Mr. Steele replied that the condition could be satisfied if the applicant would place a small sign on the property indicating that use of the parking lot was limited to customers of the delicatessen. He then summarized the conditions contained in the draft resolution, emphasizing that Condition No. 1 would provide that the parking lot should have access only from 20th Street and that no access should be provided on Folsom Street.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7387 and that the application be approved subject to the conditions contained in the draft resolution.

CU75.36 - 951 HUDSON AVENUE, SOUTH LINE, EAST OF HUNTERS POINT BOULEVARD. REQUEST FOR AUTHORIZATION FOR AUTOMOBILE DISMANTLING AND SALE OF AUTOMOBILE PARTS AND ACCESSORIES; IN AN M-1 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator) referred to land use and zoning maps to describe the subject property which had a 220-foot frontage on Hunters Point Boulevard and an unpaved 214-

foot frontage on Hudson Avenue for a total area of approximately 28,398 square feet. Approximately three quarters of the property is in an M-1 District; and the western most 1/4 of the site is in a C-M District. The three buildings on the property are presently unoccupied. The applicant proposed to move his automobile wrecking yard from 2480 Newcomb Avenue to the M-1 portion of the subject property. The C-M portion of the property would be used to sell automobile parts. He stated that the applicant had installed a 10-foot high metal fence surrounding the property. No new construction was being proposed. A negative declaration had been issued by the staff of the Department of City Planning on September 5, 1975.

Mr. Steele stated that the proposal to use the subject property as an automobile wrecking yard would not comply with a number of policies and the Master Plan which had been adopted by the Commission. The guidelines which had been established by the Commission for review of conditional use applications for automobile wrecking yards had specified that such uses should be located not less than 500 feet from any residential zoning district; and he pointed out that the subject property is located directly across the street from an R-1 district. The South Bayshore Plan shows the subject property with a commercial use. The Master Plan element for recreation and open space proposes that the properties in the area should be used for public recreation and open space. Language from that plan reads as follows: "Develop India Basin into a major 46 acre public waterfront park with small boat harbor and marine-oriented recreation facilities. Preserve as large a body of open water as possible. Retain boat-yard uses and permit appropriate water-oriented commercial uses. Insure visual and physical public access from India Basin Recreation Area to the landscaped shoreline of the LASH terminal." In conclusion, Mr. Steele stated that the jurisdiction of the Bay Conservation and Development Commission extends to property within 100 feet of the highest tidal action of the bay since September 15, 1965. However, since no accurate maps of the shoreline are available, it had not been possible to determine whether the Bay Conservation and Development Commission has any jurisdiction over a portion of the subject property. If the application were to be approved by the Commission, the Bay Conservation and Development Commission would conduct a survey to determine whether it has jurisdiction over a small portion of the site; and, if it does have jurisdiction it will be concerned that the use to be made of that portion of the property is water-oriented.

President Newman stated that letters had been received from the following individuals in support of the subject application: John Tufts, President of the San Francisco Industry and Merchants Association, Incorporated; Lawrence Bolander, partner of L. Ph. Bolander and Sons; Coranza Jenkins, 911 Innes Avenue; A.J. Doville, 939 Innes Avenue; John Allemand, partner of Allemand Brothers Boat Repairs; Father Donald MacKinnon of Our Lady of Lourdes Church; Walter A. Anderson, partner of Anderson & Cristofani; and from John J. Wintersteen, of Seaboard Realty and Mortgage Company. Letters of opposition had been received from Morris E. Phillips, Jr., Area Director of the Hunters Point

India Basin redevelopment project area; Earl P. Mills, Chairman of the Executive Committee of the Bayview-Hunters Point Community Coordinating Council; and Mrs. Elouise Westbrook, Chairman of the Bayview-Hunters Point Joint Housing Committee. Two anonymous letters and one anonymous telephone call had also been received in opposition to the proposal.

Harold D. Cutler, Attorney for the applicant, stated that his client had engaged an engineer to survey the property to determine if any portion of it comes under the jurisdiction of BCDC. The results of the survey had indicated that a small corner of the property would be with that agency's jurisdiction; however, that small area could be excluded from the automobile wrecking yard and would be landscaped. He emphasized that substantial support for the proposal had been demonstrated by the letters which had been received; and he suggested that anonymous letters in opposition to the proposal should be disregarded. He stated that the property was littered with garbage and an eyesore when his client had acquired it; and his client had cleaned up the property, installed a solid 10-foot high fence and planted some landscaping. He stated that his client is well known in the area who have a great respect for him; and his client had operated the automobile wrecking yard on Newcomb Avenue without violations. He indicated that his client had paved most of the subject sites; and he felt that the proposed use would be an asset for the neighborhood. He emphasized that the Commission had previously taken the position that automobile wrecking yards should be scattered in various areas rather than consolidated in a single area; and he believed that the subject site would meet that criteria. He noted that automobile wrecking operations taken place on the site would not be visible from properties across the street; and he felt that the visible impact of the operation as viewed from homes on Hunters Point Ridge would be minimal. The proposed use would be compatible with other uses in the area; and his client would be willing to comply with any conditions which might be established with the Commission in approving the application. Although the Recreation Element of the Master Plan may have called for development of properties in the subject neighborhood for recreational use, he indicated that he was not aware of any plans to develop recreational activities in the area; and he felt that the Commission must realize that some proposals contained in long ranged plans never come to fruition under the circumstances, it seemed to him that it would be unfair for the Commission to disapprove the subject application merely because it would be inconsistent with the Recreation Element of the Master Plan, especially since residents of the neighborhood had expressed their support for the proposed use.

Johnnie Lee Bledson, the applicant, stated that his automobile dismantling business provides jobs; and he was disturbed about the fact that people had written in opposition to the proposal. He remarked that the subject property has been vacant for many years; and, until he took possession of the property no one has spent a dime to clean it up. He noted that he previously came before the Commission to seek approval to move his business to other location;

but those applications had been disapproved because the properties involved were located to other automobile wrecking yards. Since no automobile yards presently exist in the subject neighborhood, he felt that the subject site would be an ideal location for his business.

A representative of the San Francisco Industry and Merchants Association, Inc. stated that the subject property was a garbage dump until Mr. Bledson cleaned it up; and he remarked that a concrete dome is located immediately across the street. He felt the subject property is located too far above the waterline to be valuable for recreational purposes; and he believed that the subject application should be approved.

An owner of property of the subject neighborhood emphasized that Mr. Bledson had kept the subject property clean and he indicated that he had no objection to the proposed use.

No one else was present to speak in favor of the subject application.

Elouise Westbrook, Chairman of the Bayview-Hunters Point Joint Housing Committee, stated that she was opposed to the application not because she wished to deny the right to earn a living but because she was concerned about the quality of life in the subject neighborhood. She remarked that all of the dismantlers had been removed from the India Basin Redevelopment Project Area; and if permission to one dismantler to move back into the neighborhood, she expected that others would return in due course. She emphasized that the Commission would never allow an automobile wrecking yard to be located in Pacific Heights; and she felt that it was unfair that all of the city's undesirable uses such as automobile wrecking yards and sewage treatment plants should be located in the South Bayshore Area. She was of the opinion that the South Bayshore Area must be allowed to improve itself; and she indicated that she was completely opposed to the proposed use of the subject site.

Mrs. Ethyl Garlington, a resident of the subject neighborhood for 32 years, stated that she had nothing personal against Mr. Bledson; but she was opposed to having any auto wrecking activities in the Bayview-Hunters Point Area. She remarked that the city has constructed new housing on Hunters Point; but no one will move to the area if the City continues to allow such uses as automobile and sewage treatment plants in the neighborhood. She stated that she had lived and worked in the Sunset District where trucks are not allowed. The subject neighborhood, however, is inundated with trucks; and a return of the automobile wreckers would only make the situation worse.

Jerry Belcher, representing the San Francisco Redevelopment Agency, advised the Commission that both the Hunters Point Redevelopment Project Area and the India Basin Redevelopment Project Area are still marginal projects at the present time; and he indicated that the problem with both is one of image. Unless the image of the neighborhood can be changed, there will probably be no market for 1,200 dwelling units to be built on Hunters Point for

familes who are not now living in the area or for the 120 acres low-commercial land in the India Basin Industrial Park. In conclusion, he stated that the only way for trucks to get to the subject property would be by way of Evans Avenue through the India Basin Project Area.

Commissioner Porter asked Mr. Belcher if he could offer any suggestions as to where automobile dismantling, a needed service, can be accommodated in San Francisco. Mr. Belcher replied in the negative but suggested that properties where other uses would be preferable should be rezoned so that they cannot be developed with automobile wrecking yards.

No one else was present to be heard on this matter.

Mr. Steele stated that it was the recommendation of the Director of Planning that the subject application be disapproved for the following reasons:

"1. The proposed automobile wrecking yard would be directly across Innes Avenue from a one-family residential zoning district, and less than 500 feet from the Harbor Slope Housing Project in a low-medium density residential district;

"2. The South Bayshore and Recreation and Open Space Elements of the Comprehensive Plan of San Francisco designate the India Basin shoreline area for development as commercial or public open space; and

"3. The applicant has not made a clear showing that the relevant distance and locational guidelines for automobile wrecking yards adopted by the Commission are inapplicable or inappropriate in this case."

Mr. Cutler remarked that the two women who had spoke in opposition to the application are not residents of the immediate area; and he emphasized that the proposal had been endorsed by people who do live in the immediate area. He felt that all zoning should be opened to exception; and it seemed to him that there was justification for making an exception in the present case.

Commissioner Fleishhacker, noting that the Commission's guidelines for review of conditional use applications for automobile wrecking yards specified that such uses should not be operated within 500 feet of a residential area, remarked that approval of the subject application would obviously violate that guideline since the subject property is located less than 50 feet from a residential district. He asked the applicant if he felt that the Commission should violate its own guidelines or if the guidelines should be changed.

Mr. Cutler replied that he felt that the guidelines should not be followed arbitrarily; and, in view of the fact that his client had substantially improved the subject property, he felt that his application should be treated as an exception.

Commissioner Fleishhacker then observed that the applicant must have known that automobile wrecking yards are not a permitted use in any zoning district and that they cannot even be approved as a conditional use in ZM districts.

Mr. Bledson stated that he had discussed the uses which would be allowed on the subject property with a member of the staff of the Department of City Planning; and he indicated that he may have misinterpreted what that staff member had said.

Commissioner Fleishhacker asked Mr. Bledson if he had consulted with his attorney before constructing the new fence on the property. Mr. Bledson replied in the negative.

Mr. Steele asked Mr. Bledson if he remembered a meeting which had been held in his office and if he recalled what had been said during that meeting. Mr. Bledson replied that he and his attorney had met with Mr. Steele and other members of the staff of the Department of City Planning. At that time, Mr. Steele had stated that he could not recommend approval of a conditional use application for an automobile wrecking yard on the subject site since the proposal would violate the guidelines which had been adopted by the Commission for review of conditional use application for automobile wrecking yards. He indicated, however, that that meeting had been held after the fence had been installed. Nevertheless, he assured the Commission that he was not accusing the staff of the Department of City Planning of giving him inaccurate information.

President Newman asked if a vote of disapproval by the Commission could be appealed by the applicant. Mr. Steele replied in the affirmative, indicating that an appeal could be made to the Board of Supervisors. In order to perfect the appeal, a petition would have to be signed by the owners of at least 20% of the property within a 300-foot radius of the subject site.

After further discussion it was moved by Commissioner Mellon and seconded by Commissioner Fleishhacker that the subject application be disapproved. Commissioner Fleishhacker remarked that the staff should be able to devise a mechanism to advise all automobile wreckers in the City that wrecking yards are not a permitted use in any zoning district and that such uses may not be installed in industrial districts without conditional use authorization from the Commission. Otherwise, automobile wreckers who wished to relocate may spend money for improvements on the new site before coming to the Commission and later claim that the expenditure of that money warrants special consideration for their case.

Mr. Steele replied that it was his opinion that all individuals who had been involved in automobile dismantling activities during the past seven years have in fact been aware of the Planning Code restrictions. Nevertheless, a number of cases have come before the Commission in which improvements

have already been made for strategic reasons; he felt that the present case fell into that category. When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7388 and to disapprove the subject application.

At 3:50 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 4:00 p.m. and proceeded with hearing of the remainder of the agenda.

MP75.1 - REVIEW OF AN INSTITUTIONAL MASTER PLAN FOR RALPH K. DAVIES MEDICAL CENTER ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CASTRO STREET AND DUBOCE AVENUE.

Dean L. Macris, Director of Planning, stated that this matter had been calendared pursuant to procedures which had been established by the Commission for review of Institutional Master Plans on October 10, 1974. Those procedures contain the following guidelines: "The Institutional Master Plan should be reviewed well in advance of filing a conditional use permit. As a general rule, the Master Plan should be filed and considered by the Commission at least six months before a conditional use application is filed, but the Department may grant exceptions to this rule if there are extenuating circumstances. Exceptions may also be made in the case of development proposals already contemplated in a Master Plan reviewed by the Commission prior to the issuance of this memorandum."

The Director stated that the format for today's meeting would involve a presentation by the Ralph K. Davies Medical Center followed by comments from members of the audience, the Commission, and the staff of the Department of City Planning. No action would be taken by the Commission.

James R. McCarthy of Environmental Science Associates advised the Commission that his firm had been engaged to prepare an Environmental Impact Report for the proposed expansion of the Ralph K. Davies Medical Center. He then proceeded to describe the new Master Plan for the medical center which would involve development in two phases. During the first phase of development, to be completed during the next five years, additional space for administrative offices would be provided through the additional of an additional floor covering the eastern half of the acute hospital building; a rooftop emergency helix stop would be added to that building; a five-story research and medical office building would be constructed at the corner of Noe Street and Duboce Avenue; and a three-level parking structure would be constructed at the corner of Castro and 14th Streets. During the second phase of development, a developmental disabilities building would be constructed adjacent to 14th Street having four stories along its western elevation and six stories along its eastern elevation of which the two lower floors would be used for parking; and, in addition, a three-level parking structure would be constructed at the corner of Noe Street and 14th Street.

At the conclusion of Mr. McCarthy's presentation, Commissioner Porter absented herself from the meeting room for the remainder of the meeting.

President Newman summarized correspondences which had been received on this matter from the following individuals: Ms. Ruth Schmidt, 18 Castro Street; D. M. Wisdom, 80 Beaver Street; Bruce Hansen, 7 Buena Vista Terrace; Richard McFarland, Ruth S. Graham, Ray W. Graham, Peter Schnell, and David N. Schnell of 99 Divisadero Street; Mr. Wolfe, 93 Buena Vista Terrace; and John C. Diamante. All of the letters expressed opposition to the proposed expansion of the medical center.

Douglas Engman, President of the Stanyan-Fulton Street Association, remarked that a member of the Board of Supervisors had proposed to enact an Institutional Master Plan ordinance; but the City Planning Commission had refused to consider that ordinance until the completion of the Residential Zoning Study. Nevertheless, he wondered if the Commission intended to follow the guidelines contained in the ordinance which would provide that six months should elapse between the presentation of the Institutional Master Plan and the filing of a conditional use application.

The Director, emphasized that the Commission has adopted its own guidelines for review of Institutional Master Plans which call for a six month review period between the time an Institutional Master Plan is presented and the time that a conditional use applicaltion is filed; however, the Commission guidelines also provide for exceptions from that six month period. He stated that it was his understanding that the staff of the Department of City Planning expects to receive the first draft of the Environmental Impact Report for the proposed expansion of the Ralph K. Davies Medical Center on November 24; and, if everything should proceed without any snags, the Commission might be able to hold its public hearing on the Environmental Impact Report during the first part of February. He remarked, however, that he doubted that the first draft of the Environmental Impact Report would be thoroughly complete; and, as a result, he estimated that it was unlikely that the Commission would act on the Environmental Impact Report before March or April of next year.

Mr. Engman asked if he were correct in understanding that it was not the intention of the staff to recommend that an exception from the six month period be granted to the Ralph K. Davies Medical Center. The Director replied in the affirmative.

Mr. Engman then asked if construction of the new medical office building would require a zone change or if a new interpretation would be made of the City Planning Code to allow construction of that building under the present zoning. The Director replied that a recent court ruling would require that the site of the proposed office building be rezoned from R-3 to R-4.

Mr. Engman stated that the members of his association were opposed to the proposed expansion program, particularly with respect to the office building and helipad aspects of that program; and they hoped that the Ralph K. Davies Medical Center would reconsider its proposal.

Commissioner Fleishhacker asked if Mr. Engman's remarks could be interpreted to mean that he was not necessary opposed to expansion per se. Mr. Engman replied that he, personally, was generally opposed to the expansion of any existing medical center given the total health planning picture in San Francisco. After Commissioner Fleishhacker had observed that details of the Master Plan would not be of importance if Mr. Engman were totally oppose to expansion of the medical center, Mr. Engman replied that he was opposed to the proposed office building, the research center, and the helipad.

President Newman asked if any correspondence had been received on this matter from the Comprehensive Health Planning Council.

The Director read the following letter which had been addressed to Mr. Steele by Michael Howe, President of the Comprehensive Health Planning Council:

"The following information is submitted for input to the City Planning Commission's hearing on R. K. Davies Medical Center's Master Plan.

"In late 1974 our Council conducted an in-depth study of the R. K. Davies building plans, the results of which were sent to Mr. Newman in a letter dated November 18th. We stated: 'should the written Plan now in preparation differ significantly from the information on which our decisions were reached, we may amend our recommendations.' We have reviewed the written Plan and find it does not differ significantly from the information presented previously.

"For your information I will summarize our recommendations:

"(1) We find no medical reason for disapproving the additional office space (Private Medical Offices and Administrative space for the hospital staff).

"(2) We recommend that the request for a helipad be disapproved.

"A copy of our Study Committee's report giving the rationale for our recommendations is enclosed.

"If we can be of further assistance, please let us know."

State Senator George Moscone stated that he had been asked to comment on the never ending battle between major institutions which wish to expand and the residential neighborhoods in which they are located. It seemed to him that the Master Plan for the Ralph K. Davies Medical Center was another example of a plan which had been prepared without taking into account the impact which the proposed development would have on the adjacent residential neighborhood, particularly in terms of parking and traffic. He remarked that the parking facility which is presently available on the subject site is little used while on street spaces in the facility are impacted; and he believed that the fees which are charged by the medical center for parking have discourage employees and visitors from using that parking facility. While he acknowledged that the proposed helipad might have medical significance, it seemed to him that the arguments which had been made by the medical center for the helipad represented a case of "over-kill". He also noted that the medical center has stated that the helipad might also be used by the Police Department; and, if that were the case, the helipad might be intensively used. While he realized that institutions are important, the integrity of residential neighborhoods seems to be threatened by the expansion of the institutional uses; and he felt that the proliferation of hospitals in the subject neighborhood should be taken into consideration by the Commission.

Mark Litwin, representing the Buena Vista Neighborhood Association, remarked that Dale Champion, President of his organization had previously transmitted a letter to the Commission concerning the proposed expansion of the Ralph K. Davies Medical Center. That letter had suggested certain changes which should be made in the Master Plan and subjects which should be covered in the Environmental Impact Report for the proposed expansion project. However, it was the position of the Buena Vista Neighborhood Association that no further construction should take place on the subject site. The Ralph K. Davies Medical Center is an island of inconsistent use in the middle of a very desirable residential area; and, in view of the fact that residents and property owners in the subject neighborhood had done more to renovate their properties than any other area of the City, he felt that the medical center should not be allowed to threaten the neighborhood with further expansion. The members of his organization were specifically opposed to the helipad; and it seemed inconceivable to them that permission would be granted for helicopter landings in a residential community. In addition, they were concerned about the parking structure proposed at the corner of Castro and 14th Streets since the wall of that building would rise 8 feet above the level of Castro Street, thus blocking views of the Bay and the City. Finally, they were concerned about the shadows which the new development would cast onto Duboce Park; and they wondered if any studies had been made of that shadow problem.

Sue Hestor, President of the Eureka Valley Promotion Association, emphasized that the letter which had been sent to Mr. Steele by the Comprehensive Health Planning Council had recommended that the request for the

helipad be disapproved. She stated that the members of her association were also very concern about the traffic situation at the intersection of Castro and Market Streets; and, as a result, they would oppose any use in the area which would generate more automobile traffic. She felt that the Master Plan which had been prepared by the Ralph K. Davies Medical Center had "glossed over" the impact which the expansion project would have on the neighborhood. For instance, while the Master Plan had referred to the "oral" impact of the helipad, the fact of the matter is that the helipad would create noise. Also, the Master Plan had contained no discussion of traffic noise or parking problems. Page 26 of the Master Plan stated that "no private properties will be affected" however, while no private properties may be acquired for the project, private properties in the vicinity will certainly be affected. Page 27 of the Master Plan reported to address itself with the issue of alternatives; but she felt that the statements contained on that page were really designed to rationalized the development course which had already been decided on by the medical center. Under the heading of "Medication Majors" the Master Plan remarked that the revised proposal would not take advantage of previous Commission authorization for three floors of additional beds on the acute hospital; but no mention was made of the fact that licenses for new beds are not being approved by the State in any case. She also noted that the Master Plan involves two phases of developments; and she wondered if there would be any public discussion of the impact of the second phase of development on the neighborhood. On page 4 of the Master Plan, a statement was made to the effect that 61% of the patients at Franklin Hospital are residents of San Francisco. However, no mention was made of out patient care, which brings a greater number of people to the medical center; and it was her understanding that most of the people visiting the out patient clinic come from outside of San Francisco. Since there is no direct transit link between the medical center and the urban communities, she assumed that most of the individuals coming to the medical center for out patient care arrive by automobile, adding to traffic congestion in the area.

Timothy Dowling, a resident of the neighborhood, stated that he had addressed a letter to the administrator of the Ralph K. Davies Medical Center on June 5, 1974, and had never received a response. The letter had indicated that he was opposed to any expansion of the medical center for the following reasons:

1. The medical center is surrounded on all four sides by residential uses.

2. The existing buildings are out of scale with the neighborhood.

3. Since free parking is not provided for employees of the medical center, they park on streets in the neighborhood.

4. Construction of higher buildings on the medical center site would block more views.

5. The medical center already pours black smoke into the neighborhood; and increased activity on the site would undoubtedly result in additional pollution.

6. Expansion of the medical center would maintain or increase the high cost of medical care in San Francisco.

7. The helicopter landing pad would increase noise pollution in a residential neighborhood.

8. The unpainted concrete buildings of the medical center are an eyesore, suggestive of Alcatraz.

9. The proposed expansion would be contrary to City policy as evidenced by expenditure of funds to improve the residential quality of the area during the recent Federally Assisted Code Enforcement Program.

John Sanger, President of the Duboce Triangle Neighborhood Association, submitted and summarized the following prepared statement:

"The Duboce Triangle Neighborhood Association has received and studied the proposed master plan for Ralph K. Davies Medical Center (better known to us as Franklin Hospital). The hospital is located in our neighborhood and its plans are of great concern to us. We share all of the concerns previously communicated to you by the Buena Vista Association. Since the master plan contains no elements new to us, we deem it appropriate to convey our precise position at this early date, even before completion of an EIR.

"Were this the first time that our neighborhood had been presented plans for the hospital, we would be reluctant to take a position without further study. However, we have studied the hospital's plans for several years; the present plan is essentially the same as that presented repeatedly over the past several years. To-date the hospital has evidenced no intent to respond to neighborhood concerns.

"We wish to review some of this history with you and make our position known.

"The Hospital's Response to Neighborhood Concerns

"In January, 1974 the hospital announced, through the press, its intent to construct substantial additions and to revise its master plan (originally approved in 1964, long before the disastrous direction of our city's hospital industry became apparent). Those proposals included the same elements present in today's plan. In response to communications of concern from neighborhood groups regarding Franklin's failure to seek its neighbors' views, meetings were held in the spring

of 1974. At those meetings we and others made comments and criticisms, and indicated major problems caused by the proposed expansion. We also indicated problems already caused by the hospital's presence in a residential neighborhood and asked for responsive actions with respect to parking and traffic, and emergency services for residents. A year later, last spring, we requested the hospital by letter to take action to ensure that its employees park on the hospital site to reduce their use of street spaces. We have received no response to any of these requests.

"Regarding the proposed plans presented in 1974, objections were made to blocking of views, noise and light from helicopter movements, additional traffic on the streets around the Center, the contrast in scale between the massing of the center and nearby houses, the threat to the Cypress stand on Castro, and failure to provide for free employee parking on the site. We seriously questioned the justification for the proposed expansion, for the office building, and for the heliport. We did not receive satisfactory answers before and we have not received them yet.

"The plan before you today contains nothing significantly new and no changes responsive to neighborhood concerns. Only one change can be detected of any significance: deletion of the proposed one-story addition to the office building on Castro. It is our feeling that conditional uses are exceptions to good and normal zoning practice, that there must be exceptional reasons to justify their presence and expansion in residential areas, and that extra care must be taken to protect homes from their adverse impacts. The hospital has shown little realization of the special treatment they have received and their obligations to be sensitive to the neighborhood in which they are located.

"The Heliport

"When closely questioned at the meetings in 1974, Mr. Monardo essentially admitted that the function of the heliport (now euphemestically called a helistop) would be to provide a form of luxury, long-distance transportation for patients with specific types of disabilities if they were covered by a special insurance plan. We resent the continued deceit perpetrated by the master plan's reference to this as an emergency facility. It will not be used for rescue purposes; it will not be available to serve the general public; it has no place in a residential neighborhood. We continue to oppose any helicopter landings in our neighborhood. Experience with the flights of police helicopters has made the impacts all too obvious. No one has ever presented any health-based justification for this facility.

"Parking

"The Center has always insisted on charging its employees to park. As a result, on-site facilities are underutilized and employees use street spaces. This is particularly galling since our streets have recently been redesigned to make up for the acute shortage of resident spaces. The hospital continues to propose diagonal parking on Noe Street to make up for lost spaces caused by the expansion, but apparently continues to expect the city to pay for it. Meanwhile they refuse to ensure that their employees either park on-site or come by transit. Although the hospital proposes to build two parking garages, fees will discourage employee use. In addition the extra parking for patients and visitors will attract more traffic.

"Traffic

"The revised plans involve construction of buildings which will actually attract more traffic than the original plan. A long-term care center will be replaced by an out-patient facility attracting daily visitors. The old research building will be replaced by a commercial office building attracting daily visitors. Several thousand more vehicles are likely to come to the Center each day. This traffic will occur on streets where children play, adjacent to our largest neighborhood park, near a school soon to be re-built, and on streets already overloaded during parts of the day. Traffic on Noe and 14th will certainly increase dramatically although we have just created a protected residential area under the FACE program.

"Building Scale and Siting

"Upon completion, the entire perimeter of the site will be covered with buildings at heights and with bulk far exceeding those of adjacent homes and even more imposing than present buildings. The only visual penetration will be along driveways, the only open space on the interior, chiefly in the form of on-grade parking and driveways. Thus, the assertion that lot coverage will be only 54% is at best misleading. We ask the Commission to note that virtually all of the residences surrounding the site are one and two-family homes recently rehabilitated under the FACE program at great expense. Several million dollars have been invested in housing rehabilitation in our neighborhood; the hospital jeopardizes those improvements, and our attempt to preserve and renew the neighborhood. It appears to us fairly clear that the 'size and intensity' of the proposed development is incompatible with our neighborhood within the meaning of the Planning Code. In addition, the Urban Design Plan states the importance of preserving the small-scale, low-rise character of our area. The proposed expansion will certainly violate that objective, to an even greater extent than the existing buildings.

"Duboce Park is across from the site. At the neighborhood's initiative, funding has been included in the 1976 Community Development Plan proposal for renovation of that park. Such renovation is badly needed to serve young children in the area. The proposed expansion may shade the park and will create new traffic hazards for children crossing to and using the park.

"The Office Building

"Since the court decision in the St. Mary's case, the Center has proposed to entend the nearby R-4 zone to permit development of an office building at Noe and Duboce. At present virtually every lot in that part of the district near the hospital is actually built to less than 20% of the permitted density. We would hope to see that area downzoned as a part of the residential zoning study now underway. Therefore, we certainly oppose extension of this zone. It would be a poor means of responding to the fact that office buildings do not belong in neighborhoods and detract from the vitality of downtown and neighborhoods commercial districts. Such a building is no more justifiable for doctors, than for lawyers, engineers, architects, banks or any other office use. The hospital's desire for the office building is only commercially motivated and it should not be able to take advantage of less expensive residential land to compete with owners of office buildings in commercially-zoned areas.

"There are many other matters we could discuss. Our organization finds the master plan proposed to be totally inconsistent with the city's policy to preserve residential neighborhoods, with our own objectives for the neighborhood, our investment in housing rehabilitation, improvement of Duboce Park and reduction in traffic. We have yet to see any justification for the proposal, other than a desire for expansion and the continued destructive, competitive situation in the city's medical industry.

"We still await the commitment of the Center to provide services of benefit to residents who must bear the burdens it creates. We still await the development of a comprehensive plan for medical facilities in this city and in the region. In this context we note that almost half of the patients at Franklin are non-residents. If new facilities are built outside the city closer to them, we may have another white elephant in San Francisco. As with overbuilt gas stations and hospital beds in the past, new medical office buildings and other facilities may become our albatross of the future.

"Based on these considerations and others, the Duboce Triangle Neighborhood Associated has resolved its opposition to further expansion of the Ralph K. Davies Medical Center at the present time. We antici-

pate the early submission to you of a request for a conditional use permit to permit further construction; we trust that you will find the proposal inconsistent with the criteria contained in Section 303 of the Planning Code.

"We thank you for the opportunity to present our views."

John Bardis, representing the Inner Sunset Action Committee, the Mt. Sutro Defense Committee, and the Coalition of San Francisco Neighborhoods, noted that four major institutional uses are located in the subject neighborhood; and he felt that the accumulative effect of expansion of those institutions should be considered. Furthermore, he felt that the Comprehensive Health Planning Council had been negligent in dealing with the problem. He stated that data is available which shows that there are 2,000 vacant hospital beds in San Francisco everyday; and that represents 40% of the beds available. The proposed expansion of the Ralph K. Davies Medical Center would do nothing to improve medical care but would only result in the construction of an office building, a research building, and off-street parking spaces. Obviously, the medical center was hoping to bring in more doctors who would attract more patients to fill the excessive bed capacity which it has created.

President Newman asked Mr. Bardis if he objected to any expansion of the medical center. Mr. Bardis replied in the negative but indicated that he was urging the Commission to consider the relationship between the Ralph K. Davies Medical Center and other medical institutions in the neighborhood.

Steven Bauer, 48 Castro Street, remarked that the Ralph K. Davies Medical Center has a good reputation; but he emphasized that the reputation has been achieved because of expert individuals and not because of buildings. He stated that he would be opposed to any further expansion of the medical center.

Peter Pursley, 85 Noe Street, suggested that the Commission should give careful consideration to the need for the new facilities proposed. With regard to the heliport, which was proposed as an emergency facility, he noted that the Coast Guard and the army already provide emergency helicopter medical service; and he felt that they would be able to cope with any emergencies which might arise. Furthermore, the helicopters which they use land on the perimeter of the City and not in the middle of a residential area. He stated that he was also concerned about traffic congestion in the subject neighborhood; and he believed that expansion of the medical center would bring additional noise and confusion to the area. In conclusion, he questioned whether the expansion was being proposed because of medical decisions or because of management decisions related to the financial situation of the medical center.

Karen Opana, a resident of Noe Street, asked if the public opinion relative to the proposed expansion of the medical center would have any effect. President Newman replied that the Commission has an obligation to consider the best interest of the City as a whole; and, while public comment does have a great deal to do with the Commission's decisions, the decisions are made by the Commission and are not submitted to public vote.

Another resident of the neighborhood stated that it was her understanding that the majority of the doctors and out patients visiting the medical center would be coming from outside of San Francisco. She also understood that the Emergency Service Bureau of the medical centers is only open between the hours of 9 a.m. and 5 p.m.

President Newman stated that the Master Plan indicated that emergency services are offered by the medical center on a 24 hour basis.

Peter Straus, 142 Henry Street, stated that he was opposed to the proposed expansion; but he indicated that most of the reasons for his objection had been raised by other speakers.

Marsha Lindeen, representing the Inner Sunset Action Committee, informed the Commission that recent studies have shown that patients are not benefited by expanded facilities and excessive medication.

Lillian Juliani, a resident of the neighborhood, asked if the medical center would continue to charge for use of his parking facilities. Mr. McCarthy replied that the new parking structure was being proposed to provide a sufficient number of off-street parking spaces to comply with the requirements of the City Planning Code. He indicated that it is the present policy of the medical center to charge for use of its parking facilities so that the usage can be controlled to prevent commuters from parking in the spaces on their way downtown.

Commissioner Finn asked if the medical center has established a special parking rate for professors and doctors on its staff. George Monardo, administrator of the medical center, replied in the affirmative. He also indicated that parking rates charged by the medical center range from 35 cents an hour up to a maximum of $1.40.

The Director remarked that the Master Plan proposal would be subjected to a great deal of additional evaluation as the Environmental Impact Report is prepared and considered; however, in its present assessment of the proposal, the staff of the Department of City Planning share some of the concerns which had been mentioned by members of the audience. The staff felt that the amount of parking which was being proposed might be excessive; and they believed that the medical center could find ways to encourage its employees to use public transit. He stated that he was concerned about the need for

the proposed office building, the location of the building, and the proposed access to the building. He was also concerned about the parking structure proposed for the corner of Castro and 14th Streets in terms of its appearance and the effect which it might have on residences across the street. Finally, he stated that he intended to give serious consideration to the Comprehensive Health Planning Council's recommendation that the helipad be disapproved.

A women in the audience asked if the medical center pays taxes on its garage and office building. Mr. Monardo replied that the medical center pays property taxes on the office building and sales taxes on parking fees.

At 5:35 p.m. President Newman announced a 5 minute recess. The Commission reconvened at 5:40 p.m. and proceeded with hearing of the remainder of the agenda.

MP75.2 - REVIEW OF INSTITUTIONAL MASTER PLAN FOR ST. JOSEPH's HOSPITAL ON PROPERTY LOCATED AT 355 BUENA VISTA AVENUE EAST.

Thomas Hsieh, architect for St. Joseph's Hospital, summarized the Master Plan for renovation and new construction of facilities at St. Joseph's Hospital, indicating that the development contemplated in the Master Plan would result in the following alterations to the existing facility:

1. The upgrading of the existing hospital building to meet State earthquake standards, requiring the removal of the 6th floor and penthouse, replacing the 5th floor with a lighter weight structure and reducing the number of beds to approximately 192;

2. The addition of a two story approximately 5,800 square foot surgical and special care facility to the rear of the hospital;

3. The addition of a two story storage facility to the rear of the hospital;

4. The provision of a new ambulance entrance directly from Buena Vista Avenue East; and

5. The revision of the parking area providing a second level deck with ramp access directly from Buena Vista Avenue East, revising circulation and increasing parking capacity to 71 vehicles.

Mr. Hsieh stated that the net effect of the alterations would be to decrease the total floor area of the hospital complex by 6,000 square feet.

President Newman noted that the case report which had been prepared by the staff of the Department of City Planning indicated that the new storage building would have a height of only one story. Mr. Hsieh replied that the

proposal was for a two story building. He also indicated that the development contemplated in the Master Plan would provide 11 additional parking spaces on the site. He stated that he and the representatives of the hospital had worked closely with residents of the neighborhood; and their landscape consultants had assured them that an outstanding landscaping plan would be effected on the site. He was grateful for the cooperation of the staff of the Department of City Planning; however, because of a time element posed by pending legislation which might prevent the proposed expansion, he requested that the Commission waive the 6-month waiting period between the presentation of the Master Plan and the filing of the conditional use application.

Robert Young, Executive Director of St. Joseph's Hospital, stated that the hospital had been in existence since 1889; and the present buildings have existed since 1928-29. The hospital is oriented towards serving the community and specializes in the treatment of common ailments suffered by people living in the immediate area. As a result, the hospital had tried to avoid duplication of specializations handled effectively by other facilities in the community. Furthermore, St. Joseph's Hospital had tried to keep health care costs as low as possible. He emphasized that the proposed remodeling project would lower the roof line of the hospital building and would provide direct access to the back of the building; and, since the number of beds in the hospital would be reduced and the number of parking spaces on the side would be increased, traffic congestion in the area should be ameliorated. He also felt that the new landscaping which would be installed would be an asset to the neighborhood.

President Newman asked Mr. Young to elaborate on his request for a waiver of the 6-month waiting period between the presentation of the Master Plan and the filing of the conditional use application. Mr. Young replied that several bills are pending in Sacramento at the present time which would provide that hospitals could not spend more than $100,000 for new medical facilities without obtaining approval from a number of agencies; and he wished to avoid that process. He stated that the St. Joseph's Hospital building does not comply with current code standards or earthquake standards; and the surgeries in the building are outdated. He hoped that the reconstruction program could be initiated in April of next year; and two years will be required to complete the work. He indicated that the former nursing school building is now utilized for administrative offices and certain support services for the hospital; and he stated that no other use of that building is contemplated. The building will not be turned into a medical office building.

President Newman asked if St. Joseph's Hospital must complete the work to bring the hospital building up to code standards by a specific date. Mr. Young replied that the hospital does not face a specific deadline.

President Newman indicated that the Commission had received written comments on the Master Plan for St. Joseph's Hospital from Roberta Willenkin, 415 Buena Vista Avenue East; Dale Champion, President of the Buena Vista Neighborhood Association; Michael Howe, President of the San Francisco Comprehensive Health Planning Council; and Mrs. T. J. Raih, 80 Buena Vista Terrace.

Harold Betts, 27 Parkhill Avenue, remarked that the Master Plan which had been prepared for St. Joseph's Hospital evaded the issue of the parking problem which is generated by the hospital. He indicated that the City provides poor bus services to the hospital; and, since grades in the area range from 10 to 26%, it is not possible for most people to walk to the hospital. Therefore, visitors to the hospital use their own automobiles for access to the site; and the surrounding neighborhood is face with a parking problem from morning until evening. Other hospitals in the City have provided public parking for their visitors; but the only parking spaces available at St. Joseph's are reserved for members of the staff.

Lawrence Wyman, 219 Roosevelt Way, represented the Buena Vista Neighborhood Association. While the members of his organization were concerned with the parking issue, they were not taking a position of blanket opposition to the new construction proposed in the Master Plan. Since the hospital complex will not be expanded, the parking situation should not be any worse than it is at the present time; and, to the extent that 11 new parking spaces will be added, the situation might be somewhat ameliorated. He stated that Dale Champion, the President of his organization, had expressed additional concerns in the letter which he had addressed to the Commission; and he hoped that consideration would be given to those concerns. In conclusion, he indicated that he, also, had understood that the new storage building would be only one story in height.

Mr. Hsieh stated that the storage building will probably not be visible to residents of the neighborhood in any case because of its location on the site.

Mr. Wyman remarked that the only long range project contained in the Master Plan was a connection between the main hospital building and the former College of Nursing; and he asked if any other long range proposals were presently contemplated. Mr. Hsieh replied in the negative.

Mr. Wyman then asked if the hospital propose to expand its out patient operation. Mr. Young replied in the negative, indicating that the only out patient care provided is for return visits and for X-rays. No emergency treatment room is proposed.

Mr. Wyman stated that residents of the neighborhood would be concerned about the appearance of the hospital complex in the future; and he emphasized that the hospitals which are landscape architected should consult with residents of the neighborhood, particularly those living on Parkhill Avneue.

President Newman stated that the Commission had also received a letter from Mrs. Paul Pay in which she expressed her complete concurrence with the Master Plan which had been prepared.

A resident of the neighborhood disagreed with one of the previous speakers and indicated that public transportation to St. Joseph's Hospital is quite good. She remarked that the top two floors of the former College of Nursing are presently vacant; and she doubted that that situation would obtain for long. If that space is eventually occupied, she questioned whether the 11 new parking spaces which would be provided by St. Joseph's Hospital would be sufficient.

Mr. Young remarked that the top two floors of the former College of Nursing would more than likely remain vacant since they were laid out as sleeping quarters and are not adaptable for other uses. However, if the former College of Nursing should be occupied by a traffic generating use in the future, additional off-street parking spaces would have to be provided.

Lousie Pickett, 26 Upper Terrace, stated that she approved of the Master Plan which had been prepared by St. Joseph's Hospital.

Marsha Lindeen advised the Commission that the purpose of the pending legislation to which Mr. Young had referred is to control the expansion of medical facilities in order to prevent competition; and she felt that it would be very desirable for the development program contemplated by St. Joseph's Hospital to be subject to such review. It was her opinion that San Franciscans cannot afford to maintain 2,000 empty hospital beds forever.

President Newman observed that most of the work contemplated by the hospital would be done for safety reasons; and, under the circumstances, he felt that it would be desirable for the work to be completed as soon as possible.

Richard Glyer, 447 Buena Vista East, stated that he was generally very much in favor of the Master Plan which had been presented; however, he acknowledged that there is a parking problem in the neighborhood. He advised the Commission that the Police Department had recently installed "No Parking" signs along Buena Vista Park across from the hospital; and those signs have made the parking problem in the neighborhood even worse.

President Newman suggested that the staff of the Department of City Planning should investigate the reasons for the installation of the "No Parking" signs. He then asked for a show of hands of other individuals who were present in the audience in support of the Master Plan. Approximately 7 individuals responded.

Dean L. Macris, Director of Planning, noted that the Department of City Planning is currently conducting an environmental evaluation of the Master Plan for St. Joseph's Hospital. If a negative declaration is issued, the

Commission would be in a position to consider a waiver of the 6-month waiting period between the presentation of the Master Plan and the filing of a conditional use application; and, in view of the fact that the nature of the Master Plan which had been presented by St. Joseph's Hospital is substantially different than the Master Plan for the Ralph K. Davies Medical Center, he felt that the Commission might wish to grant such a waiver. He recommended that this matter be taken under advisement until the environmental evaluation has been completed.

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

DOCUMENTS

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 9, 1975.

The City Planning Commission met pursuant to notice on Thursday, October 9, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas G. Miller, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Lucian Blazej, Planner IV; Alec Bash, City Planning Coordinator; William Ward, Staff Assistant III; Audrey Owen, Staff Assistant III; Linda Ferbert, Planner II, Kit Herman, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meeting of September 11, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that a public hearing will be scheduled during the meeting of October 23 to receive comments and suggestions concerning the Department of City Planning's work program and budget for the next fiscal year.

The Director noted that the Commission had received a letter signed by the presidents of eight neighborhood associations transmitting suggested objectives and policies for institutional expansion and requesting that their suggestions be discussed at a public hearing of the Commission. The Director suggested that the individuals who had written the letter be invited to attend the Commission's meeting next week to explain their proposals. At some future date, a public hearing could be heard on the matter; and the staff could formulate a recommendation for any action which it might be appropriate for the Commission to take. Commissioner Rueda suggested that it would be desirable to hold the public hearing at night in the Mt. Sutro area.

Commissioner Fleishhacker observed that it was difficult to comprehend whether the individuals who had written the letter wished for the objectives and policies to apply only to institutions in the Mt. Sutro area or if they wished them to be applied city-wide; but he felt that issue could be resolved at next week's meeting. He then moved that the individuals who had written the letter be invited to attend the Commission's meeting next week to make a presentation of their proposals. The motion was seconded by Commissioner Finn. When the question was called, the Commission voted unanimously to extend the invitation.

Commissioner Fleishhacker inquired about the status of St. Joseph's Hospital request for a waiver of the six-month delay between the presentation of its Master Plan for expansion and the filing of a conditional use application. The Director replied that environmental evaluation of the master plan has been completed and a negative declaration will be issued on October 10. If the negative declaration is not appealed during the ten-day appeal period, the Commission may consider the hospital's request for a waiver of the six-month delay on October 23.

The Director introduced Kit Herman and William Ward, both new employees who joined the staff on Monday.

R75.26 - LEASE OF PUBLIC PARKING LOT AT MENDELL STREET AND PALOU AVENUE.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is to lease the whole of the public parking lot at Mendell Street and Palou Avenue, Lots 12A and 14 in Assessor's Block 5323, to the mortuary at 1499 Mendell Street, immediately adjacent to Third Street. There are presently 15 metered parking spaces with landscaping in the public lot. Both the Parking Authority and the Bayview Merchants Association have informally indicated that they have no objection to the proposed lease, as they feel the lots are not necessary for off-street parking for other uses.

"The City Planning Commission, in authorizing the mortuary as a conditional use under Resolution No. 7268 in November 1974, required as a condition that a minimum of five off-street parking spaces be provided, either on the subject parking lot or on a nearby vacant lot.

"One portion of the parking lot, Lot 14, is in a C-2 (Community Business) district. The other portion, Lot 12A, is in an R-1 (One-Family Residential) district, within which the existing parking lot is a principal use as a public parking lot. If the latter portion of the parking lot were to be leased to a private concern, it would have to continue to serve as a public parking lot as well.

"The Real Estate Department has indicated that the lessee would consent to free public use of the lot during the day, with the exception of the hours in which funerals are occurring and processions are being formed. The lease would be on a monthly basis, and would require maintenance of the existing landscaping by the lessee. The existing parking meters would be removed.

"The adopted South Bayshore Plan of the Master Plan includes as an objective the improvement of shopping areas and the attraction of appropriate commercial investment for the greater convenience and pleasure of the people who live and work in the community. The mortuary, as an interim use, remodeled and with landscaping, can assist the Third Street commercial district in its process of upgrading, and through lease of the parking lot can avoid any significant conflicts with traffic flow in the vicinity."

At the conclusion of his presentation, Mr. Bash stated that it was the recommendation of the Director of Planning that the lease of the property be approved as in conformity with the Master Plan provided that the lessee be required to permit free public use of the parking lot except at such times as funerals are underway and at night, that signs indicating this availability of public parking be placed in prominent positions on the Palou Avenue and Mendell Street frontages of the property, and that the existing landscaping be continuously maintained by the lessee.

Commissioner Fleishhacker questioned why the lessee should be required to permit free public parking on the lot since free parking has not been available on the lot in the past. Mr. Bash replied that the Real Estate Department felt that it would be easier to permit free parking than to collect parking fees; and he emphasized that the parking meters will be removed from the site.

Commissioner Fleishhacker then remarked that individuals wishing to take advantage of the free parking might park on the lot all day and interfere with funerals. Mr. Bash replied that the lot has not been greatly used in the past; and he indicated that the lessee could post notices advising of the times at which funerals are to be held.

Commissioner Fleishhacker then asked if free parking is provided on any other City-owned parking lot. Mr. Bash replied in the negative. He stated the City would receive $100 a month for the lease of the property; and he indicated that the revenue which had been received from the parking meter had only averaged approximately $30 a month. He also pointed that the lessee would be responsible for maintaining the landscaping on the site, thus saving the City that expense.

Commissioner Rueda suggested that it might be preferable for the City to sell the property instead of leasing it to a private firm for use as a parking lot. Dean L. Macris, Director of Planning, stated that the current theory is that the City should lease properties whenever possible. He indicated, however, that the staff had not analyzed the financial aspects of the proposal but had merely looked at the land use questions involved. If the Commission desired, it could defer action on the matter so that Wallace Wortman, Director of Property, could be present to comment on the issue of lease of the property versus sale of the property.

Commissioner Rueda stated that he did not feel that it would be necessary to have Mr. Wortman testify before the Commission on this matter. However, if free parking is being provided on publicly-owned property at this location, he felt that merchants in other areas would feel that free parking should be provided in their neighborhoods, also. The Director replied that the mortuary would be providing the free parking while the City would be getting a fee for lease of the property.

Commissioner Fleishhacker asked about the duration of the lease. Mr. Bash replied that he was not sure about the duration of the lease; but the conditional use authorization for the mortuary will expire in 1979.

After further discussion it was moved by Commissioner Miller, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the lease of the public parking lot on Lots 12A and 14 in Assessor's Block 5323 is in conformity with the Master Plan, provided that the lessee be required to permit free public use of the parking lot except at such times as funerals are underway and at night, that signs indicating this availability of public parking be placed in prominent positions on the Palou Avenue and Mendell Street frontages of the property, and that the existing landscaping be continuously maintained by the lessee.

PRESENTATION OF PROPOSED REVISIONS TO RESIDENCE ELEMENT OF THE COMPREHENSIVE PLAN.

Linda Ferbert, Planner II, presented and summarized the report and responded to questions raised by members of the Commission. A public hearing will be held on October 30 to receive comments on the report; and a follow-up hearing will be held on November 5 at 7:30 p.m.

STATUS REPORT OF COMMUNITY DEVELOPMENT PROGRAM

James Jacquet, Director of the Mayor's Office of Community Development, reported on the present status of the proposed Community Development Program for 1976. He indicated that the Commission will be considering the Environmental Impact Report/Environmental Impact Statement for the program on November 6. Action by the Board of Supervisors is anticipated during the latter part of November. The application for funds will be filed in December; and it is expected that the funds will be available in February, 1976.

Commissioner Fleishhacker questioned the desirability of allocating $4,320,000 for site improvements at the India Basin Industrial Park. The original concept of the industrial park was to attract labor-intensive uses which would provide jobs for residents of San Francisco. However, it was his understanding that the Redevelopment Agency presently has no prospective tenants for the industrial park; and he doubted that fulfillment of the original concept of the industrial park is feasible under present circumstances.

STATUS REPORT ON NEIGHBORHOOD INITIATED IMPROVEMENTS PROGRAM.

Lucian Blazej, Planner IV, reported that 106 applications have been received for funds available for neighborhood improvements under this program.

The applications are currently being reviewed; and the Mayor will make recommendations for funding in the near future. Projects not funded this year will be considered again next year.

The meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 16, 1975.

The City Planning Commission met pursuant to notice on Thursday, October 16, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Virgil L. Elliott, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV (Zoning); Alec Bash, City Planning Coordinator; Audrey Owen, Administrative Assistant to the Director of Planning; Linda Ferbert, Planner II; Nathaniel Taylor, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meeting of September 4, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded the Comprehensive Plans Committee of the Commission (Commissioners Mellon, Porter, Ritchie) of a meeting scheduled for next Thursday, October 23 at 12:00 Noon.

The Director advised the Commission that a field trip will be scheduled at 1:00 p.m. next Thursday to visit properties scheduled for consideration during the Zoning Hearing to be held on November 6.

The Director announced that the Commission meeting on October 30 will commence at 1:00 p.m.

The Director informed the Commission that the Executive Director of the Redevelopment Agency will be present at next week's meeting of the Commission to report on the current status of the India Basin Industrial Park project.

Commissioner Finn reported that his staff in the Transportation Bureau of the Public Utilities Commission had undertaken a study of alternatives for removing the trolley buses from Market Street in accordance with the official city policy that there should be no overhead wires on that street. That policy was adopted for esthetic reasons; but the study which he had undertaken indicates that sound mass-transit principles would call for the retention of trolley bus service on Market Street. He stated that he would like to have an opportunity for his staff to make a presentation on this matter to the Commission. The Director stated that he would schedule a time for the presentation.

R75.48 - REVOCABLE ENCROACHMENT PERMIT AT ELWOOD STREET FOR UNDERGROUND PIPES AND PEDESTRIAN MALL.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is to place in Elwood Street, north of O'Farrell Street and east of Mason Street, (a) two 2-inch underground cooling water pipes, and (b) a pedestrian mall. Elwood Street is an L-shaped alley with a dedicated right-of-way of 17.5 feet, which at present includes two sidewalks and one 10.5-foot vehicular lane.

"The cooling water pipes would run from La Bourgogne Restaurant at 320 Mason Street to a proposed new restaurant under the same ownership across Elwood Street, to permit a common air conditioning system.

"The pedestrian mall would involve paving the area between the existing sidewalk curbs with brick, and installing 11 pairs of ornamental planting tubs on the existing sidewalk, for a total of 22 tubs. Fire, police, loading and garbage service access would be retained.

"The Urban Design Element of the Master Plan, in Policy for Conservation No. 9, calls for review of proposals for the giving up of street area in terms of all the public values that streets afford. It states that release of a street area may be considered favorably when in furtherance of the public values and purposes of streets as expressed in the Urban Design Element and elsewhere in the Master Plan. Policy for Neighborhood Environment No. 11 calls for the use of street space for recreation, and for the installation of improvements such as landscaping. Policy 13 calls for the improvement of pedestrian areas by providing human scale and interest, and states that little-used alleys can be improved as walkways. Similar policies are contained in the Recreation and Open Space and Transporation Elements. The proposed mall would be consistent with those policies; the proposed cooling pipes would not affect those policies or other policies of the Master Plan."

Mr. Bash then stated that it was the recommendation of the Director of Planning that the granting of the revocable encroachment permit be approved as in conformity with the Master Plan providing that the improvements be carried out in accordance with amended sketches which had been filed with the referral.

Commissioner Rueda asked if Elwood Street is currently used for loading or unloading. Mr. Bash replied in the negative and indicated that all adjacent property owners had expressed their approval of the applicant's proposal.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the granting of a revocable encroachment permit at Elwood Street for underground pipes and a pedestrian mall, as indicated on the sketch prepared by Engineered Air Systems Incorporated, on file with the referral, and as indicated on the plan entitled "Conversion of Elwood Lane to a Pedestrian Mall", dated July 24, 1975, as amended to include 14 planter tubs on Elwood Street north of O'Farrell Street and 8 planter tubs on Elwood Street east of Mason Street, is in conformity with the Master Plan.

R75.49 - ACQUISITION OF PROPERTY AT 331-333 TURK STREET FOR A SENIOR SERVICE CENTER.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is to acquire the property at 331-333 Turk Street, Lot 15 in Assessor's Block 345, which contains a two-story with basement, concrete and steel reinforced, office building presently used as a union hall. The building would be converted by the Department of Public Health for use as a North of Market Senior Service Center, providing medical, nutritional, recreational and social assistance services. This location is on the periphery of the civic center governmental office district to the southwest, and of the downtown residential area to the north and northeast. It adjoins a YMCA Hotel. Other buildings along this block frontage contain apartments above stores.

"The Recreation and Open Space Element of the Master Plan identifies this area as a high need neighborhood containing persons with low incomes. The Urban Design Element places this site in an area of high environmental deficiency and of moderate social/economic deficiency. Both elements suggest a high priority be given to projects which would improve conditions in these neighborhoods."

Dean L. Macris, Director of Planning, reported that he had visited the existing Senior Service Center in the subject neighborhood and had been impressed by the excellent services which it provides; and he recommended that the proposal to acquire the Turk Street site be approved as in conformity with the Master Plan.

Commissioner Rueda inquired about the size of the subject building. Mr. Bash replied that the building contains 8,260 square feet of floor area.

Commissioner Fleishhacker raised a question as to whether it might not be more economical for the Department of Public Health to lease the property rather than to purchase it. The Director replied that Dr. Curry, the Director of Public Health, had worked very hard personally to find funds to purchase a permanent location for the Senior Service Center.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the acquisition of 331-333 Turk Street, Lot 15 in Assessor's Block 345, for a Senior Service Center is in conformity with the Master Plan.

R75.53 - VACATION OF A PORTION OF JESSIE STREET, SOUTH OF McCOPPIN STREET.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is to vacate the southernmost portion of Jessie Street, from 206.25 feet south of McCoppin Street to its end in the middle of Assessor's Block 3513, which would be occupied by a portion of a proposed Social Services office building with an address of 170 Otis Street. The portion proposed for vacation is 35 feet in width, an average of 35 feet in length, and 1,225 square feet in area. All the adjoining properties would be included, along with the subject land, within the office building project area.

"The City Planning Commission authorized a conditional use relating to the bulk of the office building under Resolution No. 7027, on June 7, 1973, contingent upon approval of the subject street vacation by the Board of Supervisors. The Zoning Administrator, on October 12, 1973, approved an off-street parking variance for the office building.

"Several residential buildings have access from the west side of Jessie Street north of the proposed vacation, and a Pacific Telephone and Telegraph building has access from the east side; this access would not be affected by the street vacation.

"The Urban Design Element of the Master Plan, in Policy for Conservation No. 9, calls for review of proposals for the giving up of street area in terms of all the public values that streets afford. The Social Services building would provide a large plaza with access from Otis Street, which would make available a much more than equivalent amount and quality of new open space. The vacation appears necessary for a significant public use, as provided for in Policy No. 9, where the nature of the use and the character of the development proposed present strong justification, in the virtually land-

locked site, for occupying the street area rather than some other site. Vacation of the subject portion of Jessie Street would be the only practical means of permitting its use for the social services building."

Subsequently, Mr. Bash stated that it was the recommendation of the Director of Planning that the vacation of the subject portion of Jessie Street be approved as in conformity with the Master Plan.

Commissioner Fleishhacker inquired about the status of the new Social Services office building. Mr. Bash replied that the City had started to receive bids on construction of the facility last week.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authroized to report that the vacation of a portion of Jessie Street south of McCoppin Street, as indicated on Bureau of Engineering Map SUR-1774, is in conformity with the Master Plan.

At 3:00 p.m. Vice President Porter announced a 10 minute recess. The Commission reconvened at 3:10 p.m. and proceeded with hearing of the remainder of the agenda.

PRESENTATION OF SUGGESTED OBJECTIVES AND POLICIES FOR INSTITUTIONAL EXPANSION BY THE MT. SUTRO COMMUNITIES.

Vice President Porter requested the Secretary to read the following letter which had been received from the Presidents of the Haight-Ashbury Neighborhood Council, the Inner Sunset Action Community, the Stanyan-Fulton Street Association, the Eureka Valley Promotion Association, the Forest Knolls Neighborhood Organization, the Parnassus Heights Association, and the Chairman of the Citizens Planning Commission of SPEAK and the Chairman of the Planning Committee of the Woodland Avenue Association:

"Enclosed you will find a copy of the Mt. Sutro Communities' Master Plan, Institutional Expansion Element.

"We are forwarding it to you and the Commission to request that you hold a public hearing on the Master Plan in accordance with the February 13th, 1974 memorandum titled 'Format, Substance and Procedures to be Required for Institutional Master Plans', adopted by your Commission in October, 1974.

"As you and the other Commissioners are aware, the expansion of institutional facilities in the Mt. Sutro area is a major issue of concern to residents and is perhaps the single most important planning problem facing the over 50,000 residents of the area. The continued, unchecked expansion of the institutions in our community will make the residential neighborhoods which surround Mt. Sutro unlivable.

"The Mt. Sutro Communities' Master Plan, Institutional Expansion Element represents the combined planning of eight neighborhood and community groups long active in attempts to improve the residential quality of their respective communities.

"The Plan has been widoly circulated, in draft form to interested residents of the area. It has been widely discussed and officially adopted by all eight organizations. It represents, in the most literal sense, true communit· planning.

"We urge you to hold public hearings on the Master Plan at your earliest convenience."

At the request of the Chairman, the Secretary also read a letter which had been sent to those individuals by Dean L. Macris, Director of Planning, as follows:

"This is to confirm the understanding reached as the result of our telephone conversations today. In response to your letter of October 3, the City Planning Commission, at its meeting on October 9, voted to invite representatives of the Mt. Sutro Communities to present their objectives and policies for institutional expansion at a future Commission meeting. As we discussed, your presentation will be made on October 16; and we are calendaring the matter for 3:00 p.m. on that date, at 100 Larkin Street.

"Following the presentation, time will be scheduled during a future meeting of the Commission for public discussion of your plan."

Vice President Porter then asked representatives of neighborhood organizations who were present in the audience to introduce themselves. Those who responded were Kay Fields, President of the Forest Knolls Association; Sue Hestor, President of the Eureka Valley Promotion Association; Ed Dunn, President of the Haight-Ashbury Neighborhood Council; and John Bardis, representing the Inner Sunset Action Community. Calvin Welch, a member of the Haight-Ashbury Neighborhood Council, explained that representatives of the other neighborhood organizations which had signed the letter to the Commission had not been able to be present at today's meeting.

Ms. Fields explained that the various neighborhood organizations in the Mt. Sutro area had gotten together in 1974 because they felt that their neighborhoods were being infringed upon by institutional expansion. Their objective was to prepare a plan which would be designed to preserve existing housing and natural areas in their neighborhood. Once the plan had been drafted, it had been submitted to each of the neighborhood organizations for approval. She emphasized that the Institutional Expansion Master Plan was not aimed at any particular institution but was intended to apply to any institution in the Mt. Sutro area which might be contemplating an expansion program which

would be detrimental to the quality of the neighborhood. She stated that the presentation which was being made before the City Planning Commission was one of a series of presentations which was being made throughout the City. In conclusion, she stated that the Mt. Sutro Communities are presently engaged in the preparation of a zoning plan for their neighborhood; and she indicated that they intended to work on transportation and housing plans in the future.

Ms. Hestor summarized the Mt. Sutro Communities' Institutional Expansion Master Plan which read as follows:

"OPEN SPACE

"Mt. Sutro represents an obvious open space asset to not only the surrounding communities, but also the entire City. Mt. Sutro should be open to all San Franciscans. Moreover, Golden Gate Park should not be encroached upon by any future development or institution either within the Park boundaries or on its perifery. Open space also includes city streets, and institutional expansion should not deny that open space to surrounding communities.

"OBJECTIVE: All institutions in the area, especially UCSF, should preserve and enhance the unparalleled natural setting of the general area and encourage the public use of all open space.

"Policy 1: Restore the top of Mt. Sutro to permanent natural open space through the removal of the existing dog kennels and other experimental animal facilities on the top of the mountain; at the same time, preserve all existing forested areas on Mt. Sutro.

"Policy II: Preserve open space above our city streets and return to the City all former streets (e.g. Fourth Avenue). No future street vacations should be granted for institutional expansion.

"Policy III: Golden Gate Park should be preserved in its present form or improved with additional open space.

"HOUSING

"Institutional expansion has, in the past, been responsible for the destruction of nearly 150 housing units in the Mt. Sutro communities. Since most institutions are in the midst of residential neighborhoods, any future expansion necessarily means further destruction of the community's critically needed low and moderate cost housing.

Furthermore, uncertain land acquisition policies and poor master planning (see Master Planning Objectives and Policies below) on the part of the institutions encourage speculation and absentee ownership around the institutions.

"Finally, institutional expansion creates additional secondary effects on housing costs and the type of new housing construction, oftentimes harmful to existing housing patterns in the surrounding community. Institutions which are responsible for creating these harmful secondary effects should support community efforts to deal with correcting them.

"OBJECTIVE: Institutions should adopt policies which will preserve and maintain the existing housing stock in the surrounding communities, especially housing in the low and moderate cost range.

"Policy I: Institutions should discard any plans which require depletion of the existing housing stock in surrounding communities and should discontinue any plans which require institutional acquisition of existing housing.

"Policy II: All former privately owned housing units should be used for residential use only.

"Policy III: If requested by communities, institutions should stand ready to provide financial assistance to community programs aimed at correcting past institution-created housing problems.

"FACILITIES

"Since 1960, institutions located within or adjacent to Mt. Sutro communities have constructed over 5 million gross square feet of new facilities in the midst of these residential communities, as well as parking structures to accommodate over 3,000 autos. The University of California, St. Mary's Hospital and the University of San Francisco have all built major new structures of immense size during this period. Over 20,000 students, instructors, staff and patients are drawn into the area daily by these institutions.

"Institutions in the Mt. Sutro areaarival the San Francisco Redevelopment Agency in terms of the number of housing units destroyed, public streets closed and high density construction undertaken--all in the midst of once stable residential communities. This endless and massive facility expansion at the expense of community residents must end.

"OBJECTIVE: To alleviate the excessive concentration of facilities, institutional population, and traffic and parking congestion caused by the uncontrolled growth of institutional facilities.

"Policy I: Limit the size of institutions to their present structural envelope.

"Policy II: Discourage any higher density utilization of existing institutional sites by decentralizing institutional functions.

"INSTITUTIONAL MASTER PLANNING

"During this period of massive facility growth, institutions often have been less than openhanded, if not misleading, in setting out clearly and completely their long range facility needs to interested community groups and individuals.

"Moreover, since the passage of legislation setting forth City and State environmental impact report requirements, institutions have repeatedly violated both the spirit and, in our view, the letter of the law. Two lawsuits challenging institutional misuse of the environmental impact reporting process are currently underway.

"There has been little effort by institutions to develop a clear statement of their long range plans for present and future facilities, as well as real estate presently owned and contemplated for future expansion. Public sharing of plans by Mt. Sutro institutions has come only after the most intense and persistent insistence by community residents; even then, many of these plans are deficient and have a public relations emphasis rather than a planning focus.

"OBJECTIVE: Each institution should prepare a complete institutional master plan which conforms to the objectives and policies of the Mt. Sutro Community Master Plan and should strictly adhere to that master plan. These plans should take into account the need to share specialized facilities so as to avoid costly duplication. Any project not in the master plan should not be built.

"Policy I: Each institution should prepare a master plan which describes, among other things, the present facility complex of that institution, including all of its real estate holdings and all projected facility needs, including any new real estate needed to carry out those plans. Once completed, these master plans should also include a full, complete environmental impact report on their cumulative impact, before funding is requested.

"Policy II: Each project described in the master plan should include a complete, accurate and final environmental impact report before funding is requested from the governing body of the institution for working drawings and construction.

"COMMUNITY/INSTITUTIONAL RELATIONS

"Most institutions now suffer poorer relations with their neighbors than at any time in recent history. To overcome this legacy of bitterness, positive, real and creative efforts must be undertaken by these institutions. Constructive and sincere good neighborliness is needed, not press agentry.

"OBJECTIVE: Improve relations with neighboring communities by constructive actions aimed at overcoming past neglect and damage.

"Policy I: Adopt a master plan that includes community views on size and density of the institutions as an integral component of that plan.

"Policy II: Adopt a policy of paying the costs of the City service (fire, police, sewer, water, etc.) provided to these institutions.

"Policy III: In complying with all other aspects of this master plan, adopt a hiring policy giving priority to unemployed and underemployed residents, preferably from surrounding areas.

"Policy IV: In complying with all other aspects of this master plan, adopt a positive housing program that includes improving the livability of housing in the adjacent communities.

"Policy V: Work toward harmonious community/institutional relations that implement and give effect to all the recommendations in this master plan."

Vice President Porter asked if the Mt. Sutro Communities were really asking the City Planning Commission to adopt the policy forbiding any further expansion of any institutions in their neighborhood. Ms. Hestor replied in the negative, indicating that she did not feel that most residents of the neighborhood were of the opinion that there should be absolutely no institutional expansion in the area in the future. However, she believed that most of the institutions in the area already have sufficient land for any further expansion which might be needed; and she felt that they should not be allowed to expand beyond their present boundaries.

Commissioner Fleishhacker pointed out that Policy I under the heading of "Facilities" in the Master Plan stated that the size of institutions should be limited to their present structural envelope; and he emphasized

that the term "structural envelope" refers to buildings and not to land holdings. Under the circumstances, he was confused about the actual objective of the Mt. Sutro Communities. Other members of the Commission agreed that the wording of the Master Plan did make it appear that the Mt. Sutro Communities were opposed to the construction of any new institutional buildings in their neighborhood.

Commissioner Ritchie stated that he was also concerned about Policy II under the heading of "Open Space" which proposed that no future street vacations should be granted for institutional expansion. He noted that the Commission had acted earlier in the meeting to approve a street vacation for the Department of Social Services; and he felt that it would be improper to take the position that no street vacations should be granted in the future for institutional expansion since future needs cannot presently be anticipated.

Commissioner Rueda stated that he was able to respond well to Policy I under the heading of Institutional Master Planning; but he felt that some of the other policies contained in the Master Plan were too vague, too broad, and too arbitrary.

Commissioner Ritchie felt that the Master Plan which had been prepared by the Mt. Sutro Communities was asking a great deal of institutions insofar as it would limit them to their present structural envelope on one hand while requiring them to provide financial assistance to community programs aimed at correcting housing problems in the neighborhood on the other hand.

Ms. Hestor stated that some of the institutions in the neighborhood have removed a significant amount of housing in the past; and, by replacing that housing with traffic generating uses, they have added to traffic congestion in the area. Under the circumstances, she felt that it was extremely important to involve the institutions financially in programs to correct those problems.

Commissioner Ritchie then asked if the individuals who had drafted the Master Plan would be happy to see institutions in their neighborhood forced out of business because of enforcement of the proposed policies. Ms. Hestor replied that she believed that such a possibility was extremely remote; however, if the community were to receive the same level of medical care, she did not feel that the demise of one or two of the medical institutions in the area would be of major concern to residents of the neighborhood.

Commissioner Fleishhacker remarked that it was difficult to determine a precise boundary for the area defined as the "Mt. Sutro Communities"; and, in any case, he felt that it would be more sensible for the Commission to consider the adoption of policies which would have citywide application rather than the adoption of policies which would apply only to a particular neighborhood. Furthermore, he noted that any institution located in a residential neighborhood must have conditional use authorization from the Commission before it can expand; and he noted that the guidelines which govern

the Commission's approval of conditional use applications apply uniformly to all areas of the city. Under the circumstances, he suggested that it might be more appropriate for the Commission to consider modification of its guidelines for granting of conditional use applications rather than to consider the adoption of policies to control institutional expansion in specific neighborhoods.

Ms. Hestor stated that she, personally, would have no objection if the guidelines for Commission approval of conditional use applications were modified to reflect the policies proposed in the Mt. Sutro Communities' Master Plan so that they could be applied on a citywide basis; however, she felt that special recognition should be given to the special problems of the Mt. Sutro neighborhood. She also believed that it was important that institutional master plans should be accompanied by complete Environmental Impact Reports.

Mr. Dunn felt that members of the Commission were reacting somewhat negatively to a plan which had been prepared to confront the specific problems of a specific neighborhood. He stated that he was concerned about the fact that San Francisco is destroying more family housing than it is building; and he indicated that he was proud to have participated in the preparation of the Mt. Sutro Communities' Institutional Expansion Master Plan. He hoped that the Commission would be willing to hold a hearing on the plan in January.

Commissioner Ritchie asked Mr. Dunn if he was in favor of limiting existing institutions to their present "structural envelope". Mr. Dunn replied that he believed that all of the institutions in his neighborhood already have sufficient land holdings to accommodate any future expansion needs which they might have.

Commissioner Fleishhacker again emphasized that the term "structural envelope" pertains to buildings and not to land holdings.

Mr. Dunn stated that he was not personally opposed to expansion of institutions as long as the expansion takes place on land which they already own.

Mr. Welch, noting that there seem to be some confusion over use of the phrase "structural envelope", stated that the intent of the Mt. Sutro Communities' Institutional Expansion Master Plan was to prevent expansion of institutions in the Mt. Sutro neighborhood beyond their present land holdings. He indicated that the plan had been developed in response to specific problems faced by the neighborhoods; and he remarked that those problems had been recognized in the Haight-Ashbury Plan which had been prepared by the Department of City Planning. He stated that the University of California Medical Center and St. Mary's Hospital had already made public statements to

the effect that they would be willing to restrict future expansion to their present land holding; and he felt that policies which had been adopted by the City Planning Commission in the past had come close to specifying that future institutional expansion should be limited to existing land holdings of the institutions.

Commissioner Ritchie asked if any of the institutions in the Mt. Sutro area had been involved in preparation of the Institutional Expansion Master Plan. Mr. Welch replied in the negative, emphasizing that the Master Plan was a statement of the policy position of the neighborhood organizations in the area. Nevertheless, the neighborhood organizations had been in touch with the institutions over the past 3 or 4 years; and they were aware of their objectives and concerns.

Commissioner Finn, noting that it was obvious that the Commission defined the term "structural envelope" in one way and the neighborhood organization were using a different definition for the term, suggested that the terms used in the Institutional Expansion Master Plan should be more carefully defined.

Dean L. Macris, Director of Planning, recommended that the Commission hold a public hearing on the Mt. Sutro Communities' Institutional Expansion Master Plan; and he indicated that he would be willing to meet with representatives of the neighborhood organizations involved during the interim in an attempt to gain some common understanding of the language used in the document.

Commissioner Ritchie stated that he felt that it was important that representatives of institutions in the subject neighborhood should be invited to the public hearing.

Vice President Porter asked if anyone was present in the audience representing institutions in the neighborhood.

George Monardo, Administrator of the Ralph K. Davies Medical Center, agreed with Commissioner Finn that the language of the Mt. Sutro Communities' Institutional Expansion Master Plan should be clarified. He also acknowledged that there is presently a surplus of hospital beds in San Francisco; and he indicated that the new health services agency which is being established will have a great deal to say about any expansion of medical facilities which involve costs in excess of $100,000. He stated that he would be willing to attend the Commission's public hearing on the Mt. Sutro Communities' Institutional Expansion Master Plan to represent the viewpoint of his institution; however, he hoped that the terms used in the Master Plan could be clarified before the public hearing is held.

Robert LaPointe, Community Affairs Officer for the University of California Medical Center, advised the Commission that his organization is preparing a Master Plan for expansion; and he indicated that an Environmental

Impact Report will be prepared in conjunction with that Master Plan. He stated that the Master Plan for expansion of the University of California Medical Center would incorporate some of the policies proposed by the Mt. Sutro Communities; however, some of the policies proposed by the neighborhood organizations, such as limiting the size of institutions to their present "structural envelope", were not acceptable. In conclusion, he stated that the University of California Medical Center had agreed that it would not undertake new property acquisition for 10 years and that it would preserve the top of Mt. Sutro in its natural state for 25 years.

Dick Ball, representing the Presbyterian Medical Center, stated that he shared many of the concerns which had been expressed by community representatives who were present in the audience; and he remarked that the Federal government is already requesting medical institutions to observe some of the restrictions proposed in the Mt. Sutro Communities' Institutional Expansion Master Plan. He stated that he would be willing to attend any public hearing held by the Commission on this matter to indicate the extent to which his institution would be willing to conform to the policies proposed.

Vice President Porter stated that the Commission would be willing to hold the public hearing in November or December; however, it appeared that the representatives of the neighborhood organizations involved preferred that the hearing be scheduled in January. After further discussion, the Commission requested the Director of Planning to set a date in January for the hearing and to notify all interested parties when the date has been set.

The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 23, 1975.

The City Planning Commission met pursuant to notice on Thursday, October 23, 1975, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and Hector E. Rueda, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Alec Bash, City Planning Coordinator; Robert Feldman, Planner II; Douglas Holmen, Planner II; Raul Rosetter, Planner II; and Wayne Rieke, Acting Secretary.

The staff of the San Francisco Redevelopment Agency was represented by Arthur Evans, Executive Director of the San Francisco Redevelopment Agency; Morris Phillips, Director of the India Basin and the Hunters Point Redevelopment Projects; Richard Marshall, in-charge of marketing the lands in the project; and Frank Canozera, Project Engineer.

1:00 P.M. - Field Trip

Members of the Commission and Staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on November 6, 1975.

2:00 P.M. - Room 282, City Hall

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that there will be a meeting of the Implementation Committee at 12:00 Noon next Thursday, October 30, 1975, and a 1:00 o'clock starting time for the Regular Meeting on that day. He asked if everyone could attend. Commissioner Finn said that he would have to appear before a State Assembly Committee in San Jose and would not be able to attend. Commissioner Fleishhacker said that he could not come to the meeting until two o'clock, but would be there at that time. Commissioner Mellon said that he could not attend, but would send a representative, either Mr. Miller or Mr. Elliott.

The Director announced that under the Open Space Acquisition and Park Renovation Fund, better known as "Proposition J", the General Manager of the Recreation and Park Department is to prepare an annual program for the use of about two and a half million dollars that will accrue to the fund annually. The Department of City Planning staff has been working with the Recreation and Park Department staff on the preparation of this first program. The Charter now requires that there be a joint meeting of the two Commissions to review the General Manager's report. The Director stated that the date of November 25, Tuesday of Thanksgiving week, is being considered for the joint meeting and asked if the Commissioners could attend. After some discussion, it was determined that Commissioner Fleishhacker was the only Commissioner, of those present, who could not be present at a meeting on November 25.

The Director called upon R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), to introduce a request that Dr. Selina Bendix, the Environmental Review Officer, be authorized to take testimony at a public hearing on EE75.179, Southwest Outfall, Implementation Program V, of the San Francisco Wastewater Master Plan, and to report to the Commission upon such testimony at a continuation of the hearing before the Commission. The tentative date of the hearing by Dr. Bendix was stated to be November 25 with a continuation before the Commission on February 11, 1976. Upon motion by Commissioner Fleishhacker, seconded by Commissioner Finn, Resolution No. 7389 authorizing Dr. Bendix to conduct the hearing was adopted by unanimous vote.

The Director read the following letter from Jude P. Laspa, Chairman, Mayor's Advisory Committee on Upper Market Street:

> "The Mayors Advisory Committee on Upper Market Street is concerned about all development on or around Upper Market St. which affect its planned status as a neighborhood oriented, transit oriented street. After careful consideration, we request that you envoke, as a matter of policy, discretionary review on all commercial development on Upper Market St. This would be an extension of your policy on Lower Market and a logical decision since much of Upper Market is planned for beautification in the Lower Market manner. This position was taken at our October 16th meeting and represents the unanimous vote of the members present.
>
> "We are especially concerned at this time about proposed service station and fast foods developments on the south side of Upper Market between Duboce and Dolores. These proposed businesses do not have a neighborhood orientation and will increase traffic flow and congestion in our area, largely from sources outside of our neighborhood. We request that discretionary review be taken on these projects."

The Director also cited the following list of organizations which endorsed the letter:

"1) Eureka Valley Promotion Assoc.
"2) Buena Vista Neighborhood Assoc.
"3) Duboce Triangle Neighborhood Assoc.
"4) Eureka Valley Merchants Assoc.
"5) Castro Village Assoc.
"6) San Francisco Bicycle Coalition
"7) SPUR
"8) San Francisco Tomorrow
"9) Market St. Merchants Assoc.
"10) Twin Peaks Improvement Assoc."

The Director suggested that the staff should contact the organizations endorsing the letter and should prepare a recommendation for Commission action at a subsequent meeting. Commissioner Porter asked that the staff also ascertain if the organizations listed had taken action by their Boards of Directors or whether the names were being used without a vote by either the board or the membership. Commissioner Fleishhacker asked that the staff give the Commission a definition of what is meant by Upper Market Street. The Director stated that such a definition would be included in the recommendation.

The Director called attention to copies of a report which had been placed before each Commissioner. This report, entitled "Land Use: Conditions and Trends", is a compilation of information which has been available in other forms but which has been put together as background information for the Commerce and Industry Element of the Comprehensive Plan. The Director stated that a presentation of the report had not been scheduled because of the Commission's crowded calendar, but that he would be pleased to answer any questions or to schedule a formal presentation at a later date if the Commission wished. Commissioner Porter asked if there was any need for the Commission to take action on the report. Mr. Macris stated that the Commission did not need to take action. Commissioner Porter agreed that the Commissioners should read the report and ask any questions they might have at a later date. Mr. Macris stated that one more report on neighborhood business districts is scheduled to be finished in November. Because this will be a rather important report, a formal presentation will probably be scheduled for it.

The Director stated that as the final item of his report he had asked Mr. Arthur Evans, Executive Director of the San Francisco Redevelopment Agency, to be present to discuss a matter which had been raised at a previous Commission meeting. Commissioner Porter called upon Mr. Evans who thanked the Commission for the opportunity to review with them the status of the India Basin Redevelopment Project. Mr. Evans introduced Mr. Morris Phillips, who is director of both the India Basin and the Hunters Point Redevelopment Projects, and asked him to review the background of the India Basin project "where we are, where we intend to go" and to answer any questions the Commission might have.

Mr. Phillips indicated that the Redevelopment Agency has done a lot of work that people generally are not aware of unless they have occasion to be in the India Basin area of the City. He introduced Mr. Frank Canozera, Project Engineer, and Mr. Richard Marshall, who is in charge of marketing the lands in the project. Mr. Phillips pointed out a photo map on which the project area had been outlined in yellow. He indicated that the area had been inundated with junk autos and auto parts. It had soil problems. The streets were unpaved and there were problems relocating auto dismantlers out of the area. He stated that the problems had been solved and pointed to an air photo taken October 3, 1975 showing that all of the auto dismantlers have been eliminated. He also pointed out an area where demolition is currently in progress, the MJB Coffee building which will remain and the Pacific Rendering Company which is in negotiation with the Agency to move to another area in the project. He stated that the earth work is practically done, but that the Agency does not yet have any serious businesses who have agreed to relocate within the project. He said that they are in some delicate negotiations with people who are very interested, but that the "wash-out rate" of such negotiations is very high. He said "We also understand and are in agreement with reports that the Commission's staff has issued relative to San Francisco and its ability to attract the type of labor intensive industry that was originally envisioned for India Basin. He went on to state that on the basis of current contacts and negotiations they believe that, to a degree, the original intention can be fulfilled. However, the Agency is not wedded to the idea and can make a switch if it proves necessary.

The primary problem the Agency faces now in marketing is related directly to the condition of the streets and the soil. It is not yet an attractive project to sell. Once the street trees, the street lighting and other features are completed, the Agency will have something to show developers that they will be interested in. A recent article in California Living and a discussion on KQED with the Director of Planning have stimulated some interest.

Mr. Phillips stated that approximately one million of the 4.3 million dollar funds which the Commission had mentioned at a previous meeting would be spent to purchase some land which had been purchased by the State of California for a freeway connection to the proposed Southern Crossing. Now that alternative connections through the area using Cargo Way are being planned, negotiations for purchase of that property are under way with the State Division of Highways. The balance of the 4.3 million plus another 2 million to be requested from Community Development funds in 1977 will be needed to complete the street work and the landscaping.

Vice President Porter asked if Mr. Phillips meant that he would accept housing as an alternative use when he said that the Agency was not wedded to the idea of labor intensive industry. Mr. Phillips said that housing would not be acceptable, and Commissioner Porter agreed that she thought this was not a suitable place for housing. Mr. Phillips said that industry less intensive than the 40 jobs per acre originally planned would be acceptable if the more intensive industries could not be attracted to the area, but that the Agency was not ready to make this a warehousing district.

Commissioner Fleishhacker stated that he had initiated this discussion by asking at a previous Commission meeting whether the 4.3 million dollars of Community Development money is really needed now or if the project could be developed in phases. He stated the Community Development money is a finite amount and that there are many competing uses for it. Mr. Phillips stated the Agency felt that buyers would not be interested unless the project was finished.

Mr. Evans stated that completing the project as quickly as possible is the "least cost" method of doing it. He said that the two largest expenses in the Agency budget are administrative costs and interest on loans. Now that the Agency owns so much land, its best course of action is to complete the improvements. He pointed out that a half million dollars was saved on an excavation contract because both the Hunters Point and the India Basin projects are moving along together. Earth was moved from one project to the other at a saving over the alternative of two separate contracts which would have been the case if India Basin were delayed. Mr. Evans said that they did not expect one large purchaser such as General Motors, but that they believed there is a market for specialty uses which would supply downtown San Francisco. They expect to have parcels from a half acre to fifteen and a half acres available for immediate use once the project is completed.

Commissioner Fleishhacker asked if it is wise to purchase more land when the agency has so much to sell already. Mr. Evans responded that if the land were outside the project or across the street, they would forget it, but that the land in question is in a key location at Third Street. Commissioner Fleishhacker stated that many private developers first develop part of their land and later develop the rest of it. He asked if the Agency could also do this. Mr. Evans said that the first few developers are hard to find but that once they come in, there is no problem. The agency has had problems of a poor image, a gross receipt tax, an unsettled waste-water management plan and problems related to the Southern Crossing. There are also substantial costs of keeping the land free of debris and rubbish. Originally, it was thought that a rather low level of landscaping would be sufficient, but that now there is a better market for property where the landscaping meets a higher standard.

Vice President Porter asked what is the over-all cost of the India Basin Project. Mr. Evans responded that thirty-three million dollars have been spent to date and an estimated six million dollars will be required to complete the project.

Mr. Thomas Scholten asked if he could speak. Commissioner Porter agreed to allow him to ask a question if he made it brief. She stated that the Commission was not holding a public hearing. Mr. Sholten said that his family had lived in San Francisco for 120 years and that he had watched the "bubble headed planners" build ticky-tacky housing in Redevelopment Project A-1 and A-2 and that he thought no more money should be spent on this sort of thing. Commissioner Porter asked that Mr. Scholten confine his remarks to questions about India Basin. Mr. Scholten then asked that the Commission not approve the additional money for India Basin.

The Director then stated that one additional item remained in his report and asked Mr. Steele to discuss proposed changes in the Landmarks Ordinance. Mr. Steele reported that he had discussed some possible changes with the Landmarks Board yesterday and that Article 10 of the City Planning Code is considered weak and needs strengthening. Some ideas for such changes have come from the staff, but most were generated at earlier public hearings on the matter and some have come from the Landmarks Board itself. He said that, in the interest of saving time, he would not report further now, but that the staff would be putting the changes into code language and that the Landmarks Board expected to hold hearings and to report to the Commission before the end of the year.

Vice President Porter asked Mr. Steele to be sure that the matter is in good shape to present to the Commission and Mr. Steele assured her that he would make sure the matter is well presented.

R118.75.16 - SUBDIVISION OF 13 LOTS AT CAMBRIDGE STREET BETWEEN FELTON AND SILLIMAN STREETS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator) stated that the developer had submitted the name list for a subdivision he was planning in another part of the City rather than the one appropriate for this subdivision. Therefore, the notice required by law had been given to the wrong mailing list, but that the area had been posted and that notice had been given in the newspaper. He stated that it would be appropriate to hear anyone who had come to testify, but that the hearing should then be continued to November 13, 1975 at 2:30 p.m. for which proper notice had been given.

Vice President Porter asked if anyone wished to speak on the matter. When no one responded, the matter was postponed until November 13 by a unanimous vote upon a motion by Commissioner Fleishhacker and seconded by Commissioner Finn.

R118.75.17 - CLIPPER TERRACE, SUBDIVISION OF 10 LOTS AT CLIPPER, 25TH AND FOUNTAIN STREETS.

Alec Bash, City Planning Coordinator, presented the matter to the Commission by reading the following excerpts from the case report:

"This is an irregular parcel with frontages of approximately 180 feet on Clipper Street and 145 feet on 25th Street, for a total area of approximately 24,500 square feet.

"It is in an R-2 (Two-Family Residential) district, formerly R-3 (Low-Medium Density Multiple Residential) district and a 40-X Height and Bulk district.

"The property is presently vacant except for a one-family residence.

"The subdivider is Sam I. Pichey.

"The proposal is to resubdivide the existing 7 lots to create 10 new lots, of which 6 would front on Clipper Street and 4 on 25th Street. One parcel fronting on Clipper Street would be substandard in size, at only 1,909 square feet, but has been authorized under variance VZ74.53. The other 9 standard-sized lots would all have a Common Yard and Pedestrian Access Easement at their rear, which would provide access to 25th Street and to a landscaped park proposed to be developed in the Fountain Street right-of-way. The homeowners association of the future housing development would maintain the park and landscaping, which was the subject of a revocable encroachment permit under referral R75.21.

"The site is at the southwestern end of Noe Valley, between Clipper Street, a heavily trafficked street, largely undeveloped but with some large apartment buildings, and 25th Street, a quieter residential street with single-family dwellings. Clipper Street is approximately 45 feet higher in elevation than 25th Street, resulting in a steeply sloping site with northern and eastern views. The area in the vicinity is all within an R-2 district, except to the south, which is within an R-4 (High Density Multiple Residential) district.

"The Subdivision Code requires that for all newly constructed subdivisions, the subdivider must provide street trees and landscaping conforming to the policies of the Master Plan, and that where required pursuant to the Master Plan, the subdivider must provide for the landscaping of open areas and the maintenance thereof. The Code also requires a sales program which promote affirmative action in housing.

"The site is in an area designated as Medium Density in the Generalized Land Use Plan Map of the Residence Element. Clipper Street is designated as a secondary thoroughfare in the Transportation Element. The Transportation Noise Section of the Environmental Protection Element indicates that thoroughfare noise levels on Clipper Street are at the 70 Decibel level (Day/Night Equivalent), at which new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. The Urban Design Element, in Policy for Neighborhood Environment No. 2, calls for buffering of residential properties where heavy traffic cannot be avoided; Policy 10 calls for provision of recreation space in private development; Policy 11 calls for use of unused street space for recreation; and Policy 12 calls for the installation and maintenance of street trees in residential areas."

Commissioner Finn asked, "Where is the proposed park, and how large is it proposed to be?"

Mr. Bash answered by pointing out the park area on the map and stating that the park would be sixty feet by ninety feet or fifty-four hundred square feet.

Commissioner Finn then asked how tight the requirement is on the homeowner's association to develop the park. He wanted to know whether the City might be required at some future date to maintain the park.

Mr. Bash responded that the matter had been previously considered as a Master Plan Referral for a revocable encroachment permit. In connection with that earlier consideration and in the current review of the subdivision, the Department had worked with the neighborhood and with the project sponsor and had consulted the City Attorney's office in an effort to make the requirement as tight as possible and to spell it out clearly so that everyone will know exactly what is involved. He said that specific language would be proposed in the Director's recommendation.

Mr. Steele stated that it appeared appropriate to give the Director's recommendation at this time and a draft resolution was passed out to the members of the Planning Commission. Mr. Steele stated that if certain conditions are met in the development, it would be consistent with the Residence Element and other elements of the Master Plan. He then read conditions one through four of the draft resolution. He said that a condition to be numbered five should be inserted in the draft resolution and should read "That the exact text of the acknowledgement, recorded declaration and deed clause required by condition 4 be reviewed and approved by the Department of City Planning". This condition had been suggested by neighborhood representatives and the Director agreed that the condition should be included in the resolution. Mr. Steele then read the other two conditions which were renumbered six and seven.

Commissioner Porter asked if this was the first time that noise insulation has been required.

Mr. Steele responded that noise insulation had been required before, but that this may be the first time such a requirement had been attached to a proposed subdivision of land.

Vice President Porter asked who would pay for the water for the park.

Mr. Steele stated that the water would be a part of the maintenance which would be a responsibility of the homeowner's association.

Commissioner Finn asked who would provide the bond, the homeowner's association or the developer.

Mr. Steele stated that the bond would be required of the homeowner's association.

Commissioner Fleishhacker felt that the bond should be required in perpetuity and Mr. Steele agreed.

Vice President Porter asked if this would be a park or a playground, noting that if it is a park, the maintenance would be minimal, but that if it is a playground, considerable maintenance would be required.

Mr. Steele stated that the exact nature of the park would be determined by the final design which would have to be approved by the Art Commission.

Commissioner Mellon asked how many units of housing would be involved.

Mr. Bash responded that there would be twenty units of housing.

Claire Pilcher of the Friends of Noe Valley commented that she thought that history is about to be made in that, for the first time, a neighborhood has worked with a developer and an agreement has been reached whereby the neighborhood would not oppose the development based upon the assurances of the developer that a park would be installed that would be useful to the neighborhood. Unfortunately, the conditions had not yet been imposed on the developer; and, for that reason, the neighborhood was concerned that the conditions be attached to the approval of the subdivision. Mrs. Pilcher read the following letter into the record:

"This letter will confirm our discussion of the Clipper Terrace subdivision permit application that will be considered this Thursday, October 23. I gather from our conversation today that the application covers only the property included in Zoning Variance 74.53. Based on your assurance that the subdivision permit will contain the following three conditions, Friends of Noe Valley would have no objection to the permit:

"1. The Art Commission must approve a design for the adjoining neighborhood play area;

"2. The play area must be built in accordance with the design approved by the Art Commission; and

"3. Recorded convenants in favor of the public are to be imposed on the subdivision, binding on the owners from time to time, making the owners responsible for the operation and maintenance of irrigation for the planted area within the street encroachment permit and for periodic upkeep (including any necessary repairs) sufficient to keep the play area and the planted area in good condition and attractive in appearance. The exact text of the covenants are to be satisfactory to the Planning Department, with the opportunity for the neighborhood to make comments and suggestions to the Planning Department.

"I would like to thank you for your helpfulness in contacting the neighborhood on the subdivision permit and in arriving at this understanding."

Ms. Pilcher stated that the neighborhood has had a workable negotiation with the developer and has reached an agreement. For this reason, she urged approval of the subdivision.

Vice President Porter asked Mr. Steele to explain why Ms. Pilcher had spoken of a "play area" while the Department had spoken of a "park area". She believed that the two are quite different.

Mr. Steele responded that he believed that it would be a park area that would contain a play area and also contain a stairway to provide access to the western side of the property. Therefore neither park or playground really described the exact nature of the area.

Mr. Bud Cohen stated that he was one of the original petitioners for the rezoning of the property from an R-3 to an R-2 district. He said that in his discussion with the developers, they had showed him plans which indicated a one thousand square foot area marked "playground". He had also been down to the Art Commission twice on this proposal. Now some disagreement had developed as to exactly how large the playground area would be. He said that they would not insist on the full one thousand square feet of playground area because of topographical difficulties, but asked that the Commission delay action on the subdivision until a firm agreement could be reached. He said that one of the developers had stated that the playground would be provided immediately, but that in talking with the architect, he found other problems. While he has not opposed to ultimate approval of the project, he was opposed to approval of it before these matters are resolved.

Vice President Porter stated that since Mr. Cohen was not in agreement with Ms. Pilcher, he was not speaking for Friends of Noe Valley, but as an individual and asked Mr. Cohen to confirm this statement.

Mr. Cohen said that he was speaking as an individual, but also as a member of Friends of Noe Valley. Both he and Ms. Pilcher stated that they were in basic agreement, but Ms. Pilcher said, that they were "gun-shy" because of past experiences.

Sam Pichey, one of the developers, stated that they had almost reached an agreement on the design of the play area at a size of approximately 4,000 square feet. Because of the topography, it would have two levels. The one at the sidewalk level would have benches for mothers of very small children while the elevated area would be designed for older children to play in. The problem has been the topography which is quite steep. The landscape architect hired for the project felt that for aesthetic reasons he didn't want big retaining walls facing the street. Therefore, he had suggested the two levels. The landscape architect has been out of the country, but when he returns he will design something, including a play sculpture requested by the neighborhood, which will meet the requirements of all parties involved.

Mr. Pichey said that building plans for the dwelling units have been submitted with building applications and are in plan checking now, indicating that the project is quite far along.

Vice President Porter asked Mr. Steele to give the Director's recommendation again.

Mr. Steele stated that with the conditions attached to the resolution, as modified, the proposal would be in conformity with the Master Plan; and, therefore, he would recommend approval.

Mr. Ritchie moved the Director's recommendation and Mr. Fleishhacker seconded the motion. Resolution No. 7390 was adopted unanimously.

R75.43 - REVOCABLE ENCROACHMENT PERMIT ON EASEMENT ALONG MARKET STREET BETWEEN DIXIE AND ARGENT ALLEYS, TO PERMIT VEHICULAR ACCESS AND BUILDING OVERHANG.

Paul Rosetter, Planner II, presented this proposal by pointing to a map posted on the wall and reading from the memorandum dated October 20, 1975 to the City Planning Commission explaining this proposal. Mr. Rosetter's statement was as follows:

"The proposal is to occupy a 15-foot pedestrian and utility easement on the west side of Market Street. The easement was established upon the sale of those lots along the west side of Market Street which were declared surplus after the widening of Market Street was accomplished in 1961. The terms of the easement prohibit access across the easement to or from Market Street, and also prohibit its use by the owner for buildings or plantings that would interfere with the '..proper use, function, maintenance or repair of any... sewer, appurtenances, utilities and retaining wall.' The easement is proposed to be occupied by a driveway, stairway with retaining wall, car parking area and landscaping. The apartment building would overhang the western half of the easement by from 5 to 7.5 feet, with balconies extending 3.5 feet beyond, and with a 9-foot clearance over the proposed grade.

"The Urban Design Element of the Master Plan notes that the site is in an area where blocks are 51 to 75 percent covered with buildings, thus making any available open space important for access of light and air. Policy for Neighborhood Environment No. 15 of that Element calls for the protection of the livability and character of residential properties from the intrusion of incompatible new buildings, and calls for the safeguarding and strengthening of standards for features such as front set-backs that contribute to the livability and character of residential neighborhoods. The proposed apartment building would be wider and about one story higher than the adjacent buildings, and, with a

continuous front overhang 50 feet in length, would present a somewhat massive appearance. This overhang would also create greater interference with views from certain windows in the building to the north, which was built behind the northerly extension of the same easement.

"The easement is similar to a required front set-back or to street space, as it serves as a source for light and air and defines a common building line to achieve public access and preserve views. Therefore, it would be appropriate to treat this encroachment as an encroachment into a front set-back or street space, and apply the provisions of Articles 4 and 5 of the City Planning Code, which control the private use of set-back and street areas.

"In presenting regulations which keep set-backs open, Article 4 preserves the appearance of the street frontage and the views from other buildings on the block. In presenting the terms under which the City will allow use of its street space, Article 5 reflects the public concern for encouraging a building design which conforms to an established and generally appreciated pattern, allows better access of light and air, and reduces view blockage. In other words it encourages the bay window pattern. Application of provisions of Articles 4 and 5 would prohibit parking within the easement area, and also would prevent the continuous overhang, and reduce its size while providing greater clearance beneath. These design modifications would mitigate the otherwise massive appearance and intrusiveness of the proposed building.

"Because of the retaining wall built along much of the Upper Market Street easement, lots behind it have been considered by the Zoning Administrator to be topographically inaccessible by automobiles within the meaning of the Planning Code, which allows a one or two-family dwelling to be built on such lot without providing off-street parking. The subject lot has a retaining wall along most of its frontage but not in the area proposed for the driveway. If this lot were deemed inaccessible, which at this time it is because of the easement prohibiting vehicular access, it could be subdivided into two lots, with each permitted to contain two dwelling units without providing off-street parking. Therefore, under this condition the property would be allowed four dwelling units instead of the five proposed, and no off-street parking would be required."

Commissioner Fleishhacker noted that the memorandum contained a recommendation and asked about the significance of that recommendation.

Mr. Steele responded that it was recommended that the Director be authorized to report that the granting of a revocable encroachment permit on the easement would be in conformity with the Master Plan provided that the use of the easement is limited to only that allowed by Articles 4 and 5 of the City

Planning Code with regard to front set-backs and for projections over streets and alleys. In other words, vehicular access should not be permitted because of the very unsafe condition.

Commissioner Fleishhacker then stated that this would limit the development to two two-family dwellings and that beyond that, the parking requirement could not be waived.

Mr. Steele agreed that this would be correct.

Vice President Porter called for comments from the audience.

Mr. Bob Tenaka, architect for the project, said that he wanted to clarify some statements which had been made by Mr. Rosetter. He stated that while Mr. Rosetter had talked of a fifteen foot easement, the setback requirement under the City Planning Code would be only seven and a half feet.

In a discussion between Commissioner Fleishhacker and Mr. Tenaka, it developed that the proposal is for a building with the front wall set back seven and a half feet from the front property line which means that the building would overhang the fifteen foot easement seven and a half feet. The overhang would be across the entire fifty foot width of the lot and balconies designed to be exempt from setback requirements would project three feet beyond the building overhang. Because the building overhang would be at least ten feet above the ground at the easement, and because the Sanitation Division of the Department of Public Works had said that a ten foot clearance is all that is required for access to underground pipes, Mr. Tenaka felt that his design should be approved.

Commissioner Porter said that she understood that the major concern of the staff was the parking and asked Mr. Steele to explain that concern to the architect.

Mr. Steele said that the overhang proposed in the plan was somewhat different from that permitted under Articles 4 and 5 of the City Planning Code, but that the limitation to projections permitted by Article 4 and 5 is still recommended by the staff. However, the main concern is the parking which would create a very dangerous situation because the driveway would lead directly onto Market Street on a very steep slope where sight distances are short.

Mr. Tenaka responded that there is a frontage road which begins where the driveway exits from the property and that the Traffic Engineer has approved the driveway if yellow stripes are painted on Market Street to warn cars away from the driveway and to direct cars exiting from the driveway into the frontage road rather than directly into Market Street. Mr. Tenaka stated that there is room on the property for cars to turn around so that they would drive rather than back out of the driveway.

Commissioner Fleishhacker asked why the developer wanted to build anything on the easement rather than to set the building back on the lot.

Mr. Tenaka said that they could cut back the building, but that they wanted to have 1,150 square feet of floor space in the units and that with the approval of the Sanitary Division, he thought that the overhang would be all right.

Vice President Porter asked Mr. Steele if he would like the Commission to hold the matter over for a week for him to try to work out a solution with the architect.

Mr. Steele responded that he thought that any parking on the lot should be prohibited.

Commissioner Ritchie said that he would like to have the matter put over a week.

Commissioner Fleishhacker said that he would like to have a definitive report from the Traffic Engineer as to whether the painted yellow stripes would be adequate to provide the required safety.

Commissioner Mellon moved and Commissioner Ritchie seconded the motion to put the matter over a week. The motion was passed unanimously.

HEARING TO RECEIVE RECOMMENDATIONS FROM THE PUBLIC OF ITEMS FOR INCLUSION IN THE 1976-1977 WORK PROGRAM AND BUDGET FOR THE DEPARTMENT.

Vice President Porter asked if anyone wanted to give testimony regarding the 1976-1977 work program and budget of the Department. When no one responded, she declared a five minute recess.

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 447956 FOR THE CONSTRUCTION OF A THREE STORY, TWO FAMILY DWELLING AT #2 McCORMICK STREET.

Robert Feldman, Planner II (Zoning), presented the case by pointing to a map showing the location on McCormick Street and describing the building as a three story building with two off-street parking spaces. He stated that the application was received last summer but was held pending litigation over the width of the property. He also said that the matter is before the Commission at the request of Mrs. Jacqueline Idiart, a neighbor of the property who had requested that it be taken as a matter for discretionary review.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), then recalled for the Commission that they had visited the site and reviewed plans on a field trip, that it is at the end of a very narrow street, and that the other buildings in the neighborhood are of a considerable different character. He recommended that the Commission take the matter under discretionary review and that the case be heard on November 13, at 2:30 p.m.

Commissioner Fleishhacker moved and Commissioner Ritchie seconded the motion that the discretionary review be held as recommended. The motion was adopted unanimously.

EE75.353 - PUBLIC HEARING ON AN APPEAL OF A NEGATIVE DECLARATION (ENVIRONMENTAL REVIEW) ISSUED BY THE DEPARTMENT OF CITY PLANNING FOR THE CONSTRUCTION OF A DRIVE-IN RESTAURANT (DOGGIE DINER) AT THE NORTHWEST CORNER OF 19TH AVENUE AND IRVING STREET.

Douglas Holmen, Planner II, presented the case pointing out the location on a map and stating that the location is on the northwest corner of 19th Avenue and Irving Street. He read from the case report as follows:

"The site size is 7,000 square feet with seventy feet of frontage on Irving Street and one-hundred feet on 19th Avenue. The property is in a C-2 (Community Business) district.

"The applicant is Rodney D. Vinson of the Schaaf-Jacobs-Vinson, Inc., consulting engineers for Doggie Diner, Inc. Doggie Diner, Inc. would own and operate the restaurant.

"The proposal is for a 36 foot by 58 foot, one-story restaurant building set back 1.5 feet from each of the two street frontages. The floor plan appears to be the same as other restaurants operated by this chain. The front entrance would be in the middle of the building on the 19th Avenue side and an entrance from the parking lot is proposed on the north side of the building. An employee and service entrance would be on the west side of the building. No building entrance is shown on the Irving Street frontage."

Mr. Holmen noted here that the Planning Commission had passed a resolution, in connection with Z50.65 in 1950, requiring that entrances and exits be from Irving Street only.

"Two driveways, one from each street, are shown for the nine-space parking lot along the two interior property lines.

"The subject property is in a part of the Irving Street commercial strip which is intensively developed with small, individually owned businesses. The northeast corner of the 19th Avenue and Irving Street intersection is occupied by a gasoline service station and the southeast corner is occupied by a public elementary school. Nineteenth Avenue is State Highway No. 1 and provides the only direct route across Golden Gate Park one block to the north. The number 28 Muni bus runs on 19th Avenue and provides the major north-south transit link in this area. Residential uses in the neighborhood consist mainly of one and two-family dwellings with some two and three-story apartment houses.

"The Department of City Planning issued a Negative Declaration on October 3, 1975, after finding that the project could not have a significant effect on the environment. This finding was deprived from use of criteria presented in the Guidelines of the State Secretary for Resources. Staff of the Department of City Planning found that the arrangement of the nine off-street parking spaces could augment congestion of the already heavily trafficked intersection during peak traffic periods and that automobile queuing along 19th Avenue for entry to the parking lot could interfere with buses approaching the adjacent bus stop.

"The proposed project would not conform to Guidelines A6 and B3 of the Location and Development Guidelines for Fast Food Facilities prepared by the staff of the Department of City Planning, because the proposed project would require demolition of existing structures, including a housing unit.

"Although these are adverse effects, they are not considered so significant as to require an Environmental Impact Report to be written.

"Ronald J. Conklin, President of the Irving Street Merchants Association, Inc., by letter dated October 9, 1975, appealed the filing of the Negative Declaration and requested that an Environmental Impact Report be written. Other letters written or endorsed by seventeen other persons and organizations, including the Judah Street Merchants' Association, San Francisco Council of District Merchants and the San Francisco Police Community Relations Unit, Taraval District #9, have also been received protesting the location of the proposed use on this corner. Reasons given for the protests relate to traffic concerns, aesthetic judgments and the detrimental effects of the low intensity use at this location.

"Section 31.24(f) states that the Commission '...shall affirm the negative declaration if it finds that the project could not have a significant effect on the environment, and shall overrule the negative declaration and order preparation of an environmental impact report if it finds that the project may have a significant effect on the environment.' It further states that '...if in the judgement of the Commission there is a substantial body of opinion that reasonably considers there will be a significant effect on the environment, the Commission shall overrule the negative declaration.'

"The Irving Street Merchants Association, Inc. have requested in writing that the City Planning Commission exercise its Discretionary Review powers and not allow the proposed facility to be built."

Vice President Porter called upon the Director to elucidate on the nature of an Environmental Impact Report.

Mr. Macris stated that the word "significant" takes on legal implications when it relates to State law and procedures in the sense that the project must be significant on an area-wide basis if it is to be required to have an Environmental Impact Report. In this case, the detrimental effects were not considered to be significant on an area-wide basis. Therefore, the staff gave the project a negative declaration. However, the staff had concerns about the impact of this project on the immediate neighborhood and would explain those concerns if the Commission were to take the matter under discretionary review.

Vice President Porter stated that a positive Environmental Impact Report which states that there will be a significant detrimental impact on the existing community does not necessarily mean that a proposed building cannot be built.

Mr. Macris agreed that the environmental law does not prevent buildings from being built. The purpose of the environmental review process is to make sure that all of the facts concerning the case have been collected. The Commission's action is not to approve or disapprove a project, but to assure that the environmental review is complete. He stated that there is a significant difference between an environmental review process and a discretionary review process in that under discretionary review a project may be approved or disapproved.

Commissioner Fleishhacker said that he wanted to make a statement and asked to be corrected if he were wrong. The statement was that he understood that before the Planning Commission can act on the request for the discretionary review that they have to determine that the environmental review procedure is complete. In this case, the Commission could not act on the discretionary review today if it overruled the staff and determined that an Environmental Impact Report must be prepared. However, if the Commission upheld the staff and decided that an Environmental Impact Report is not necessary, then the Commission could take the matter under discretionary review; and if it decided that the building should not be built, most of the people in the audience would be happy.

Mr. Macris stated that Commissioner Fleishhacker's description of the process is correct, and repeated much of what had been said to be sure that the audience understood.

Vice President Porter then called upon the appellant.

Mr. Lowell Sucherman, appearing as the attorney for one of the retailers on Irving Street and also for the Irving Street Merchants Association, showed 15 photographs of the area and gave the photographs to the Commission. He called attention to the descriptions on the back of the photographs.

Commissioner Porter pointed out that the Commission had visited the site at one o'clock that day.

Mr. Sucherman called attention to the traffic congestion, the commercial nature of the area which brings large trucks into the area, and the school which has a traffic guard posted at the intersection to protect the many children crossing.

Mr. Sucherman disagreed wholeheartedly with the staff's recommendation in its determination that the project would affect only a particular area and not the whole area. He believes that San Francisco is very unusual in that it has good neighborhood commercial areas that are very viable with individual merchants who are willing to work very hard so that we do not have the "honky-tonk" type of relationship that many areas do. When you eliminate three businesses in one location, this is a terrible impact on the whole community.

Vice President Porter interrupted Mr. Sucherman to say that he was making the arguments that he should make when the matter comes up for discretionary review. She suggested that he should be talking about whether or not he wanted an Environmental Impact Report prepared.

Mr. Sucherman stated that he understood and that he still believed that an Environmental Impact Report should be prepared in this case. He went on to point out that the staff had said in its report that the project does not comply with the Commission's guidelines for fast food facilities. Contrary to the staff's finding that this would not have a significant adverse impact, Mr. Sucherman felt that it would have a very large adverse impact and the negative declaration should be reconsidered. He also stated that no traffic study had been made, but that one should be made with regard to other locations of this particular type of operation. A study could be made of the several such locations in the City which would show the type of people that come into the area and the type of people that would add to the congestion at 19th and Irving. Further, the study should show the affect the traffic would have on the children at the elementary school. All of these things should be considered by the Commission. Therefore, an Environmental Impact Report should be prepared.

Although Mr. Sucherman thought that the question of whether the Commission or the staff should spend the funds to prepare an Environmental Impact Report might be a touchy one, if we are going to serve the people of San Francisco, including the many people in the room whose lives, residences, and businesses would be affected, then an Environmental Impact Report should be prepared and the matter should not be glossed over with a negative declaration. He summarized by pointing out that since no traffic studies were made, that since the school is not mentioned in the negative declaration and because the project does not meet the Commission's own guidelines, an Environmental Impact Report should be made.

Commissioner Porter asked, "Who pays for the Environmental Impact Report?"

Mr. Macris responded that the sponsor of the development would have to pay for the Environmental Impact Report.

Commissioner Fleishhacker commented that if an Environmental Impact Report were required it would consume a part of the Department's staff time and that the additional work would delay other Environmental Impact Reports.

Mr. Macris commented that the staff time required would equal or exceed the amount of the fee that the developer would have to pay to the Department.

Commissioner Ritchie asked the Director if he saw any reason to require an Environmental Impact Report before taking the case under discretionary review.

Mr. Macris stated that the community had, in effect, argued to delay the decision for six months by arguing for an Environmental Impact Report but that if the Commission wanted to take an early action on whether to approve the project or not, it could not require an Environmental Impact Report.

Mike Salerno, representing the Irving Street Merchants Association identified himself as a local businessman who owns his business and his home. He said that he had just consulted with Mr. Choppelas who represents Mr. Ross of Doggie Diner and had talked with the president of the Irving Street Merchants Association. Before stating the results of those conversations, he asked Commissioner Porter if it is correct that the question of environmental review must be disposed of before the Commission could consider the matter under discretionary review.

Mr. Macris answered that Mr. Salerno was correct.

Mr. Salerno then stated that on behalf of the Irving Street Merchants Association he requested that the Commission uphold the staff position for a negative declaration and then take the matter under discretionary review.

Vice-President Porter restated Mr. Salerno's position as withdrawing the request for an Environmental Impact Report in favor of having the discretionary review.

Mr. Salerno said that on behalf of the Irving Street Merchants Association, Commissioner Porter's statement was correct.

Vice President Porter asked if anyone else wanted to speak. While a woman was walking up to the microphone, Mr. Macris advised her that the Commission should take action on the withdrawal in order to make the record clear. She decided to let the woman at the microphone speak before calling for Commission action.

Mrs. Pinole said that she would probably be remembered as the woman who opposed McDonalds when they wanted to build in the subject neighborhood. She has lived in the neighborhood practically all her life. Her home was the first moved to widen 19th Avenue to provide a beautiful approach to the Golden Gate. She objected to the blocking of pedestrian rights of way by the driveways to the Doggie Diner parking lot. She had talked with her neighbors and they were equally concerned.

Vice President Porter then asked the Commission to consider the withdrawal of the request for an Environmental Impact Report.

Commissioner Ritchie moved and Commissioner Fleishhacker seconded the motion to affirm the staff determination that the proposed project could not have a significant effect on the environment and affirmed the negative declaration issued by the Department of City Planning. That Resolution, No. 7391, was adopted unanimously.

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 449288 FOR THE CONSTRUCTION OF A DRIVE-IN RESTAURANT (DOGGIE DINER) AT THE NORTHWEST CORNER OF 19TH AVENUE AND IRVING STREET.

R. Spencer Steele recommended that the Commission consider the application under its discretionary power because traffic at this intersection is quite heavy, because the proposal would disrupt pedestrian movements in the neighborhood commercial area and because of other problems related to fast food operations. He also mentioned that buses loading at this intersection could be delayed by cars entering or leaving the proposed parking lot.

Commissioner Mellon moved and Commissioner Ritchie seconded the motion to accept the Director's recommendation to take the matter under discretionary review. The motion was unanimously adopted.

George Choppelas, attorney for Doggie Diner asked to make a short statement before the Commission heard from the people in opposition to the Doggie Diner. He said that Mr. Ross, President of Doggie Diner, had only had five days to prepare for this meeting and had no opportunity to discuss the matter with the merchants organization or the residential neighbors. He said that regardless of what action the Commission may take, he and Mr. Ross would endeavor to meet with the merchants and to come to some compromise solution that would satisfy everyone. Since so many people were present, Mr. Choppelas said that he would like to hear what they had to say.

Mike Salerno, President of the Irving Street Merchants Association, said that there are ninety businesses in this section of Irving Street and many of the businessmen have left their businesses to come to the Planning Commission meeting. That is how concerned those people were.

He also said that Irving Street Merchants are facing competition for space from banks and that three businesses on the street were recently "eaten up" by banks.

He said that in five days the merchants had obtained 4,000 signatures on a petition opposing Doggie Diner. He said 70% of the people who signed the petition live in the area, 25% live elsewhere within the City and 5% live outside the City but originally lived in the Sunset and cared enough to come back and sign the petition.

The reason Mr. Salerno was opposed to the proposed building application, in addition to reasons the staff had spoken about, was that this proposal would remove three structures in fair to good condition. These should be allowed to remain. While the arrangement of parking may seem reasonable to some, he wanted to stress that it would be objectionable. Nineteenth Avenue is not a transit preferential street, it is route 1, a very busy street which also carries buses. When a bus is parked at the curb loading passengers, a driver trying to turn into Irving Street now has a difficult time. It would be much worse with the Doggie Diner on that corner. If one were walking past the corner with a driver trying to exit from the proposed parking lot into the traffic on 19th Avenue one would be greatly inconvenienced.

Although the buildings on the site are not of architectural or historic significance, the neighboring businessmen and residents objected to having them removed for a business that would serve primarily the people passing through on the highway. He stated that Irving street is an area of small businesses trying to serve the neighborhood and to keep people from driving to Serramonte or to Daly City. The existing business on the site serve this function.

Joel Budgore of the staff of SPEAK spoke in support of the merchants. He noted that the intersection of 19th and Irving is heavily traveled; and, while this undoubtedly gave Doggie Diner the economic incentive to build on this corner, the proposed building would increase the traffic problems. He stated that there was no indication that any traffic study had been done.

Commissioners Porter and Fleishhacker indicated that they thought a traffic study would be a waste of time because everyone knows what the study would show.

Mr. Budgore responded that that underlined his point that traffic would be a problem. In addition there would be a pedestrian hazard for people who live in the neighborhood. He said the Doggie Diner would be a special hazard for children attending the school across the corner because they would be tempted to cross the street to visit Doggie Diner rather than staying in school. He pointed out that the streets are interspersed with no left turn signs so that drivers who would want to stop at the Doggie Diner would travel through neighborhood streets in order to get to the corner parking lot.

Mr. Budgore stated that his concerns were not limited to traffic. He was also concerned about the litter problem associated with fast food restaurants.

Mrs. Andrew Gallagher stated that she had been a resident of the neighborhood since she was married to the late Mr. Gallagher in November, 1927, 48 years ago. She pointed out that 19th Avenue carries 28,000 cars each 24 hour day and that she has a great deal of difficulty turning into Irving Street from 19th Avenue to do her shopping because there is so much traffic. There are many senior citizens in the area who would be inconvenienced by this kind of use. Doggie Diner would also attract youngsters from Jefferson Elementary School across the intersection. Crossing the intersection would be particularly hazardous for these children.

Lani Halderman, an artist and metalurgist who now lives on Nob Hill but used to live in the Sunset, was the next speaker. She said that if she ever got married and raised a family, she would move back to this neighborhood. She said that the lovely neighborhood was not created haphazardly, but was created over the years by San Franciscans who care for their City. She called this an "All American" neighborhood where people believe in the old adage recommending "early to bed and early to rise". Such people do not go to places like a Doggie Diner for a hamburger late at night. She characterized the people who frequent the Doggie Diner as "lower class" and said that people of this neighborhood have too much class to spend their time at a Doggie Diner. As an artist, Ms. Halderman said that aesthetically, Doggie Diner has nothing to offer the people who come to San Francisco from all over the world. San Francisco rivals London, Paris and Rome as a beautiful city, but with the Doggie Diner it would look like Los Angeles. Ms. Halderman said that she now lives on California Street and knows what a problem heavy traffic can be. She also does not feel safe walking in other parts of the City, but in the Sunset she does feel safe and enjoys being out in that neighborhood.

Commissioner Porter commented that Ms. Halderman had cheered the Commission immeasurabley. "Anyone so young and beautiful who feels safe in San Francisco cheers us," she said.

Mr. Tim Walsh, a past president of the Irving Street Merchants Association, stated that he had been in business in the neighborhood for fifteen years and that he supported the statements of the previous speakers.

Marcia Lindeen, President of ISAC, (The Inner Sunset Action Committee) said that the problems had been well covered and that she just wanted to express her support of the Irving Street Merchants and the residents of the neighborhood in their opposition to the Doggie Diner being built in the neighborhood.

Bob Davidson stated that he is the Director of a youth agency at 11th and Irving, some eight blocks from the proposed restaurant. He stated that his agency supported the Irving Street Merchants and the other neighborhood groups.

They also work with Jefferson School. He said that the new restaurant would create an incredible problem. Davidson and his co-workers now have to go to the Park and Shop supermarket to get children and to return them to school because the market is such an attraction for the children. He believed that the Doggie Diner across such a busy intersection would be even worse. In view of the unanimous opposition to the Doggie Diner by merchants and neighborhood groups in the area, Mr. Davidson asked the Commission to vote negatively on the Doggie Diner Permit.

Dave Rohrer introduced himself as "one of the Classy people who live in the Sunset district". He is also pastor of Christ Church, Lutheran at 20th and Quintara and President of SPEAK. He said that on most issues the community organization takes a vote and the majority rules, but they try to reach a consensus. On this issue the feeling was unanimous; and he urged the Commission to deny the permit.

Commissioner Porter asked that, in the interest of time, those in opposition to Doggie Diner stand up. About fifty-five people stood. She then called on the Doggie Diner representative.

Mr. Choppelas said that, needless to say, he did not stand when Commissioner Porter asked for the opposition to stand, but that nevertheless he intended to be more informative than an advocate. He said that he wanted to straighten out a couple of things said by previous speakers. First, he said that Doggie Diner is different from most fast food outlets such as McDonalds and A & W because each customer goes inside, orders the food prepared the way he wants it and sits down at a table to eat it. He considered a "fast food" operation to be one in which the food is all prepared and wrapped ahead of time. Mr. Choppelas pointed out that the President of Doggie Diner, Mr. Ross, a San Francisco man, started the business in San Francisco twenty years ago and that he has been successful because he is accepted by the merchants in the neighborhoods in which he operates. Because 19th Avenue is such a heavily traveled street, Mr. Ross wanted to serve the people who travel on it, but he also wanted to serve the neighborhood. He has a policy of hiring employees from the neighborhood, many of whom are referred by other businessmen.

Mr. Choppelas stated that if the traffic pattern proposed for the parking lot where traffic would enter on Irving Street and exit on to 19th Avenue is a problem, as many of the speakers had indicated, they would be willing to try to work out a better solution. This would be done through conversations with people in the neighborhood, but there was not time to do it at the meeting. Mr. Choppelas recognized that four businesses would have to move to accommodate the Doggie Diner, but said that the proposed use would not be like a car wash or a parking lot. He said it would be a legitimate business serving the neighborhood and that Mr. Ross would not have considered this site if he had not thought that he would be accepted and could be successful in serving the neighborhood.

Mr. Choppelas commented on the three points made by Lani Halderman. The first was the hours. He said that he lives in the Richmond district and would like to have a place to take his kids for something to eat after nine o'clock. While he thought that the late hours may not be a great advantage, he thought they would not be a great detriment either. On the matter of clientel, Mr. Choppelas thought that the undesirable element from other neighborhoods would not be attracted by the Doggie Diner, but rather the facility would be patronized by people from the Sunset.

With reference to the structure, Mr. Choppelas said that the one at this location would be like the one at 11th and Geary, only nicer rather than like the more familiar blue and white design such as the one near Park Merced. Officers of Doggie Diner are trying to design the new facilities to fit the environment and would be willing to consider incorporating any ideas that the merchants or the neighborhood residents might want to contribute. He said that within the next week or two weeks he would contact some of the merchants and some of the neighbors and go over the proposal to see if they could come to some agreement.

Mr. Choppelas thanked the people for coming out to express their views because, he said, it would help them to design future projects either on this site or on another.

Commissioner Ritchie asked what the seating capacity of the proposed restaurant would be.

Mr. Choppelas introduced Mr. Al Ross, President of Doggie Diner, and asked him to answer Commissioner Ritchie's question. Mr. Ross said the capacity would be 50 or 60 persons.

Commissioner Ritchie then asked why were there only nine parking spaces.

Mr. Choppelas responded that this was because Mr. Ross hoped to serve the neighborhood and that many customers would walk to the facility.

Commissioner Ritchie said he wanted to take issue with Mr. Choppelas on one statement. He said that about a block from his office in Oakland is the Doggie Diner at Telegraph and Broadway and this is where he and his employees go when they want fast food. The chili served is about the fastest service available anywhere.

Mr. Choppelas said that in any restaurant, for example Bardelli's, the chili is pre-prepared. Other foods such as pastrami sandwiches, hamburgers and hot dogs are individually prepared on order.

Vice President Porter asked Mr. Choppelas if anyone else wanted to speak on behalf of Doggie Diner.

Mr. Choppelas responded that only he and Mr. Ross were present for Doggie Diner.

Commissioner Porter then asked for the Director's recommendation.

Mr. Macris said that he had met with Mr. Ross the day before to explain to him the staff position on this proposal; and he indicated that Mr. Ross had been very cooperative and understood why the staff had come to the decision that it had. He said that because the project would cause further traffic congestion in the immediate area, because it would require the removal of four neighborhood-type retail and service establishments where other retail outlets have been dislocated in the past, because the project would cause the destruction of an occupied residential structure and because the project would be disruptive to the existing nearby residential functions and the design of the retail frontage, he recommended that the Commission take action at that time to deny the project under the Commission's powers of discretionary review.

Commissioner Ritchie moved the Director's recommendation.

Commissioner Fleishhacker seconded the motion and went on to give his reasons. He said that in addition to the traffic concerns which seemed to be shared by everyone, he thought the objection to the proposal was that it would occupy a very large space and would require cars driving in and out. He felt it should be possible to have a Doggie Diner type operation in a smaller building that would be more in conformity with the Colonel Sanders facility down the street. He said that the neighborhood already has chicken, fish and Chinese food and that he had no prejudice against hamburgers, hot dogs and chili.

Commissioner Ritchie said that he had made his motion partly on the basis of the loss of the buildings and, consequently, the businesses in them. He said that the block has a unique character with store buildings on both sides; and when you take off one commercial corner, you begin to demolish the character of the street. His other reason was that he thought the traffic would be a disaster at that corner.

Commissioner Fleishhacker remarked to the merchants in the audience that he thought the building on the corner is not a great credit to the neighborhood and should be fixed up a little bit.

Commissioner Finn observed that there is a severe parking problem on Irving Street and recommended to the Irving Street Merchants that they seriously consider giving Muni Railway fast-passes as a fringe benefit to their employees, many of whom drive to work. He thought this would allow better use of existing parking spaces.

Vice President Porter stated that the reason she was against the proposal was not only the traffic problem which seems to be a general problem, but the

loss of four small businesses which will have no place to go. She felt that among the people of San Francisco who are most heroic are the small businessmen trying to operate under present conditions.

The Commissioners voted unanimously for Commissioner Ritchie's motion when Vice President Porter called for the question and adopted Resolution No. 7392 and disapproved Permit Application No. 447956.

The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Wayne Rieke
Acting Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held October 30, 1975.

The City Planning Commission met pursuant to notice on Thursday, October 30, 1975, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Mrs. Charles B. Porter, Vice President, presiding; John Ritchie, Mortimer Fleishhacker, George Carey, Thomas Miller, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; Hector E. Rueda, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Ruth Jaffe, Planner IV; William Duchek, Planning Coordinator; Katherine Hermann, Planner II; Douglas Holmen, Planner II; Selina Bendix, Environmental Review Officer; and John Mackie, Acting Secretary.

Donald Canter represented the San Francisco Examiner; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

Minutes of the meeting August 28, 1975, were approved unanimously as submitted.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, reported to the Commission that the San Francisco Board of Supervisors had unanimously approved the rezoning of portion of the Outer Sunset Area as approved by the Commission.

The Acting Director reported to the Commission that Board of Supervisors President Feinstein has introduced a resolution declaring it the policy of the City to retain rather than remove exterior ornamentation of buildings in cases where the building have received hazard abatement notices generated by the enforcement of the parapet ordinance. The resolution would request the State Legislature to enact property taxation reform to allow any additional cost of retention to be abated over a 5 year period.

Commissioner Ritchie asked whether this resolution applied only to Landmark buildings. Mr. Mackie, for the staff, responded that the resolution did not apply only to Landmark buildings.

Commissioner Ritchie then suggested that the resolution be expanded to include tax abatement for all work done on the facades of landmark structures.

Commissioner Ritchie moved, seconded by Commissioner Miller and it was carried unanimously that the Feinstein resolution be endorsed and that, in addition, the Board of Supervisors be requested to expand their resolution to include tax abatement for all work done to retain the ornamentation on Landmark buildings.

The Acting Director reported to the Commission that an application to rezone Playland at the Beach from C-2 to R-1 has been filed by the Planning Association for the Richmond. Commissioner Ritchie asked when the Playland rezoning might be considered. Mr. Steele replied that it would most certainly be after January.

The Acting Director reported to the Commission that Miss Ruth Jaffe, Planner IV, would retire from the Department of City Planning on October 31, 1975. After commendation for her long and valuable service to the Department, the following resolution was moved by Commissioner Miller, seconded by Commissioner Ritchie and adopted unanimously:

"WHEREAS, Ruth A. Jaffe, Planner IV, retires from the Department of City Planning on October 31, 1975; and

"WHEREAS, During her 28-year period of employment with the Department of City Planning, Miss Jaffe has proven to be an extremely capable and dedicated member of the staff who has had and effectively utilized a great knowledge of and sensibility for the City and County of San Francisco; and

"WHEREAS, Her personal integrity and professional competence as a landscape architect have resulted in significant enhancement of many projects throughout San Francisco; and

"WHEREAS, The City Planning Commission recognizes Miss Jaffe's departure from public service to be a great loss both to the Department of City Planning and to the City and County of San Francisco;

"THEREFORE BE IT RESOLVED, That the City Planning Commission of the City and County of San Francisco does hereby express the highest regard for and the deepest appreciation of Ruth A. Jaffe's service to the Department of City Planning and extends to Miss Jaffe its best wishes for her continued good health, success and enjoyment of her retirement."

The Acting Director reported to the Commission that the Finance Committee of the Board of Supervisors has unfrozen 4 clerical positions and one Planner II position.

PUBLIC HEARING ON PROPOSED REVISIONS TO RESIDENCE ELEMENT OF THE COMPREHENSIVE PLAN.

Mr. John Bartas of the Inner Sunset Action Committee stated that the Commission should delay any consideration of the proposed revisions of the Residence Element for at least a 30 day period and preferably until January. He pointed out that the staff recommendations had only been made public for three weeks and it was an election period. He felt that a two-month review period would be the minimum necessary. Mr. Bartas stated that the public has a right to examine all proposals in depth and that the public should have a period equal to the staff time spent on the proposal. That time he estimated at approximately 18 months.

Mr. Dean Anderson of the Ecumenical Ministry in the Haight-Ashbury supported the suggestions of Mr. Bartas.

Mr. Anderson stated that the proposed revisions were good in most regards; that they are step forward. However, he suggested that the revisions were inadequate in some areas and that they were not strong enough in other areas.

Mr. Anderson presented to the Commission and the staff of the Department of City Planning the recommendations made by the Community Congress, represented in its document called "A Community Program for Change in San Francisco 1975".

Commissioner Ritchie moved, Commissioner Miller seconded and it was carried unanimously that the public hearing be continued for at least two weeks.

Public testimony was received on the proposed revisions of the Residence Element and the public hearing was continued to Wednesday, November 19, 1975, 7:30 p.m., 100 Larkin Street.

R75.43 - REVOCABLE ENCROACHMENT PERMIT ON EASEMENT ALONG MARKET STREET BETWEEN DIXIE AND ARGENT ALLEYS, TO PERMIT VEHICULAR ACCESS AND BUILDING OVERHANG.
(This hearing on conformity with the Master Plan was held over from the City Planning Commission Meeting of October 23, 1975.)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), read a statement to the Commission regarding the Market Street encroachment permit.

"Last Friday a member of this Department met with the architect for this project, Mr. Robert Tanaka, who said he would be able to design the building within the limitations for building encroachment posed by our earlier memorandum to the Commission.

"The purpose of these limitations were to preserve the option of full use of this easement as a pedestrian way, as in the existing conditions of the easement, by prohibiting use of the easement for parking and for a large overshadowing building overhang and also to require that the building meet the Urban Design objectives which led to Articles 4 and 5 of the City Planning Code. However, the architect did not think that he could live with a total prohibition on vehicular access. Therefore, on Tuesday members of this Department met with Mr. Richard Evans of the Division of Traffic Engineering, who presented a possible solution which is now to be added to our recommendation. Mr. Evans thought the placing guide stripping and pavement bars along the edge of the curb lane to guide moving traffic away from the curb and the retaining wall, and potentially to provide a right turn slot, would be a feasible solution to the safety problem posed by traffic moving from the subject lot onto Market Street so close to the visual obstruction of the retaining wall. We are suggesting that the installation of the lane modifications be at the expense of the developer and have written all these conditions into the revised recommendation.

"The revised recommendation is as follows:

"It is recommended that the Director be authorized to report that the granting of a revocable encroachment permit on the easement along Market Street between Dixie Alley and Argent Alley is in conformity with the Master Plan, provided that the use of the easement is limited to only that allowed by Article 4 and 5 of the City Planning Code for front set-backs and for projection over streets and alleys and that vehicular access to Market Street be permitted only on condition that the developer pay for the installation by the City, and to the specifications of the Division of Traffic Engineering, of a guide line and such other work as may be required along the westerly edge of the adjacent outbound traffic lane of Market Street, to provide for increased sight distance and level of safety. Access to Market Street shall be the same as for all other properties fronting on Market Street between Lot 34 in Assessor's Block 2778 and 23rd Street, through use of the auxilliary roadway provided on the northwesterly side of Market Street. This finding relates only to Master Plan and City Planning Commission policies and is not concerned with any utilities which may exist now or in the future nor with the access required for maintenance of the retaining wall."

Mr. Robert Tanaka, architect for the subject project agreed to the recommendations. However, he stated that he would still like to receive at least a seven and a half foot overhang over the easement if possible. He stated that there would, under those circumstances be a ten-foot clearance under this overhang. He further stated that he had checked with the Water Department and that department had agreed to such an extended overhang. The seven and a half foot overhang is needed, stated Mr. Tanaka in order to make the unit more livable.

Commissioner Fleishhacker, asked if the limitation on the overhang was a condition in the recommendation.

Mr. Steele, stated that it was. He stated that it was his opinion that the overhang to the extent requested by Mr. Tanaka was unnecessary.

Mr. Tanaka displayed a design to indicate what a 7 and a ½ foot extended overhang would mean to the design of the building.

Mr. Tom Shelton, stated that the architect, Mr. Tanaka, was requesting a 7 and a ½ foot setback and that Mr. Steele in affect wanted a 15-foot setback.

Commissioner Porter, stated that the Commission should not assist in the building of slums in the future. She expressed concern about the small size of the unit if the extended overhang were not permitted.

Commissioner Fleishhacker pointed out that the owner was seeking to use public property for his own benefit; that his design extends beyond usable bay window easement; and that it is the responsibility of all property owners to build what they may on their own property.

Commissioner Fleishhacker moved, Commissioner Miller seconded and it was carried unanimously that the Director's recommendation be adopted.

Mr. Tanaka inquired if he could get a few additional feet in the rear of the structure.

Mr. Steele stated that he as the Zoning Administrator, would have to consider such a request a variance but that, in his opinion, the request was reasonable.

PRESENTATION OF "A COMPREHENSIVE LANDSCAPING PLAN FOR THE INDUSTRIAL AREA OF THE CITY."

Miss Ruth Jaffe, Planner IV, delivered to the Commission and summarized the subject report.

Miss Jaffe stated that this was to be comprehensive landscaping plan for the entire industrial area of San Francisco. The area of concern was approximately 5 miles long and from 1 to 2 miles wide. The accompanying maps to the report and the report itself were highly detailed. The report included plant charts, maps, information on forestation and hydro mulching. The plan can serve as a handbook and guide to all future landscaping activity or actions by the Commission or other public or private entities.

Miss Jaffe stated that this plan is designed to be long-term and could take many years to implement, but should remain as a current reference.

Commissioner Miller pointed Mt. Sutro as an example of forestation.

Commissioner Fleishhacker stated that Golden Gate Park was another example of careful landscaping planning.

Commissioner Porter commended Miss Jaffe on her excellent work in preparing this report.

Commissioner Ritchie also commended Miss Jaffe and stated that the report was a long-overdue and needed addition to the City's policies. He stated that San Francisco should learn from its neighbors to the south about the importance of planting and landscaping in industrial areas. The industrial areas should be made more park-like. He stated that Butchertown could also become as highly attractive to industry because of its landscape.

Commissioner Ritchie moved that the City Planning Commission adopt the plan as a concept and that the staff of the Department of City Planning attempt to incorporate the plan into its own actions and the recommendations to the City Planning.

Commissioner Fleishhacker moved to amend the motion to direct the staff of the Department of City Planning to make the report known to other departments in the City and attempt to bring conformity of their actions with the plan.

As so amended the motion was carried unanimously.

EE75.155 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR NORTH SHORE OUTFALL CONSOLIDATIONS, SAN FRANCISCO WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM III.

This public hearing was recorded in its entirety both on tape and in transcription. Inquiry should be made either to Mr. Douglas Holmen of the Office of Environmental Review of the Department of City Planning, or Mr. Al Friedland of the Department of Public Works.

After hearing public testimony the public hearing was closed and the matter was taken under advisement until November 20, 1975. The staffs of the Department of City Planning and the Department of Public Works were requested by the City Planning Commission to confer in the interim with the affected merchants and residents.

The meeting of the City Planning Commission was adjourned at 4:40 p.m.

Respectfully submitted,

John Mackie
Acting Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 6, 1975.

The City Planning Commission met pursuant to notice on Thursday, November 6, 1975, at 1:15 p.m. in Room 282, City Hall.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn. Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Wayne Rieke, Planner IV (Zoning); Wil Hardee, Planner III; Ralph Gigliello, Planner II; and Robert H. Feldman, Planner II and Acting Secretary.

Margaret Spaulding represented the Daily Commercial News; Bill Cooney represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Don Canter represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the minutes of the meeting of September 18, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that the Budget and Personnel Committee of the Planning Commission would meet at 12:00 Noon on November 13, 1975 to hear a presentation on the Departmental budget for next year. The Director also announced that the Comprehensive Plan Committee meeting for November 13, 1975, had been cancelled.

The Director described the procedures for developing a Proposition J acquisition program. A joint meeting and public hearing of the Planning Commission and the Recreation and Park Commission is scheduled for December 16, 1975, at a time to be announced. Prior to the Joint meeting a recommended program will be distributed to the Commissioners and the public.

The Director reported on his trip last week to San Antonio, Texas, to the National Conference of the American Institute of Planners.

Commissioner Porter requested that the Director elucidate on the role of the Planning Commission and the Recreation and Park Commission in the Proposition J program. The Director described the funding of the program and answered

questions from Commissioners Porter and Fleishhacker on the allocation of funds and staff and the role of the Mayor's Advisory Committee.

The Director noted that 2.8 million dollars in tax money will be used to purchase new park land. It will be divided into categories, for example, hilltops and high need areas. The staff will recommend strategies and alternatives for spending the funds. The Board of Supervisors, he said, has appointed 23 people to an Advisory Committee to discuss the question of priorities. The report of the Advisory Committee will be included in the recommendations of the Department.

Commissioner Porter asked whether a joint staff effort was presently going on. The Director answered in the affirmative and said that no new staff positions have been created yet. He noted that the Department of City Planning had assumed the major responsibility for the program with the General Manager of Parks and Recreation. He said this was another obligation taken on by the Department during the past year and that eventually one planner would be hired using Proposition J money.

Commissioner Porter asked how much tax money has been collected so far. The Director answered that 2.6 million dollars was originally contemplated and that now with the increased assessments citywide, it was thought that 2.8 million dollars would be available for the program. He added that this was one of the most interesting planning programs in the country because the tax money allocation was tied to the Master Plan, in this case the Recreation and Open Space Element. He said that at the recent AIP Conference other cities had shown interest in this unique arrangement.

Commissioner Fleishhacker asked what the formula was for allocation of the Proposition J funds for purchasing land and park maintenance. He asked whether it was possible for the City to buy several pieces of land and pay for them over a period of time on a contractual bases. He said if this were not possible it might prove hazardous since there could be a reversal by the voters of the Proposition J program. The Director said that he was working with the Director of Property, Mr. Wortman, on this problem and that the Charter required a certain amount of money to be spent on renovation. He noted that an annual program of this type makes it difficult to commit money for the future. Commissioner Fleishhacker suggested that more could be accomplished if land could be purchased over a long period of time.

Commissioner Porter remarked that there had been several resignations from the Advisory Committee recently and she suggested that it would be good if the Planning Commission knew the people who were being recommended for the Advisory Committee. The Director added that the Charter gives authority to the Planning Commission and the Recreation and Park Commission to make recommendations before the Supervisors take final action for land acquisition. The Director said that departmental staff had attended every meeting so far of the Advisory Committee. Commissioner Porter thanked Mr. Macris for his report on the Proposition J program.

EE-EF75.318 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT AND STATEMENT ON THE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR $28.8 MILLION.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported the following:

"We will now present to you the Environmental Impact Report and Statement for the Community Development and Housing Proposal for 1976, the second-year proposal of a three-year program. Text amendments and the Master Plan Referral are included with this document.

"The Block Grant Proposal will be presented before the Budget and Governmental Efficiency Committee of the Board of Supervisors on November 18th. It would be inappropriate for the Commission to take action now on the EIR/S since the Board of Supervisors could make changes to the program, which would require an additional Environmental Review by the Planning Commission.

"Following public testimony today, the matter should be continued until November 20th, which would give the Board of Supervisors an opportunity to review the Draft Proposal.

"I shall now ask Mr. James Jaquet to present any modifications to the program since his last appearance before the Commission."

James Jaquet, Director of the Mayor's Office of Community Development, briefly reviewed the material presented to the Commission and offered to answer any questions concerning the matter.

Commissioner Porter asked if there were any questions of the Commissioners. Commissioner Fleishhacker asked that the language be corrected in the referral document and the EIR regarding the 4.3 million dollars for Butchertown. Mr. Jaquet responded that some but not all of the 4.3 million dollars would be used for Butchertown. Commissioner Fleishhacker said that he understood that the matter was to go to the Board of Supervisors for a decision but that he felt that half of the land should be bought now and half later.

Commissioner Porter commented that public agencies frequently failed to do what the private sector is told to do regarding planting of street trees and the maintenance of landscaping. Mr. Jaquet responded by saying that in the Community Development program there was provision for street trees in residential neighborhoods. Commissioner Porter said that the Butchertown industrial development provided an opportunity for street landscaping that might never occur again. Mr. Jaquet said that substantial funding was available for undergrounding utilities and street trees as well as traffic control.

The Director of Planning reminded the Commission that the comprehensive landscape plan for this area of the City presented by Ruth Jaffe at the last Commission meeting was proposed for implementation on an incremental basis over many years. He added that Butchertown and the Bayview Hunters Point area would be improved through implementation of the plan. He noted especially the Southeast Sewage Treatment Plant site as an area that would be directly benefited.

Commissioner Porter thanked Mr. Jaquet for his presentation.

Mr. Steele said that the Environmental Impact Report and Statement are similar to the document reviewed by the Commission last year and that Mr. Will Hardee was prepared to answer any questions concerning the document.

Mr. Hardee briefly reviewed the supplemental sheets added to the Environmental Impact Report and Statement and offered to answer any questions from the Commission.

As there were no questions from the Commission members, Commissioner Porter asked if there were any statements, protests, or additions from any member of the public present. No one was present in the audience to be heard on this matter.

Mr. Steele, Zoning Administrator, recommended that the Planning Commission continue the matter to November 20th. After discussion it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that the matter be continued to November 20th.

R75.47 - REVIEW OF COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT FOR CONFORMITY WITH THE MASTER PLAN.

Commissioner Fleishhacker asked why the Community Development and Housing Proposal for HUD Block Grant was referred to the Planning Commission for review as to conformity with the Master Plan. R. Spencer Steele, Zoning Administrator, responded that this was a requirement of the Charter and that it was recommended that the matter be continued to November 20, 1975, for hearing after the environmental review process was completed.

Mr. Macris added that the Planning Commission was best served if a total program was examined as to conformity with the Master Plan instead of piecemeal. The Director added that the Master Plan referral process had been part of the central work of the Commission down over the years and that items should not be segmented out for review whenever possible.

Commissioner Fleishhacker said that it was difficult to review projects with each element of the Master Plan and that it was especially difficult for industrial projects since there was no Commerce and Industry element as yet.

Dean L. Macris, Director of Planning, said that the Planning Commission had a central role in the Community Development process and that there were basically four stages in this process: planning, programming, monitoring required by the Federal government, and physical management. He added that the substantial amount of money involved created a great responsibility and as it now stands the Department of City Planning has the responsibility for planning for the Community Development program. Mr. Macris added that City Planning together with James Jaquet and James Johnson of the Office of Community Development were working closely with neighborhood and community groups in order to make proper recommendations to the Mayor. The Director said that in his view it was difficult to separate out any one item and that the problem of review of the program in regards to the Master Plan was a dilemma not easily solved.

Commissioner Fleishhacker asked if it were really necessary to decide whether or not the program was in conformity with the Master Plan.

Commissioner Porter asked whether the Office of Community Development was usurping the role of the Planning Department. Mr. Macris responded that it was fortunate that there was a good working relationship between the Planning Director and the Director of the Office of Community Development, and indeed it was in the interest of the City that this relationship continue.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Finn, and carried unanimously that the matter be continued to November 20th.

CU75.43 - 4050 - 19th Avenue, NORTH SIDE BETWEEN MONTICELLO AND BYXBEE STREETS.
REQUEST FOR AUTHORIZATION FOR A TRUCK AND TRAILER RENTAL FACILITY WITH STORAGE OF VEHICLES FOR RENT ON THE ROOF-TOP PARKING AREA; IN A C-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is developed with an unoccupied brick and concrete automobile showroom and service building with a paved parking area. The building was constructed in 1955 and was last occupied by Sears Roebuck and Company as a service center. There are 53 rooftop parking spaces on the building, he added.

Mr. Steele said that the applicant proposes to use the subject property as the San Francisco Administrative Headquarters and as a moving center of the U-Haul Company. The moving center would rent trucks, trailers and related household moving equipment, and would employ two full time and one part-time persons. The office will have four full time employees on the premises and four in the field. The repair facility will employ three persons. All of the employee parking would be off-street. Two signs visible from 19th Avenue are proposed: one of white lettering against the facade above the showroom and one four feet by six feet projecting over the sidewalk mid-block. Mr. Steele added that a negative declaration was issued on October 3, 1975, and that the applicant was Fred Wilkening, President of the U-Haul Company of San Francisco, an authorized agent for the ten owners of the property.

Mr. Steele read two letters received by the Department of City Planning in opposition to the proposed facility. The first letter was received by Frank and Elinor Wagener of 40 Bobolink Road, Orinda, California, who own property near the subject property. The second letter was from Walter Gruenwald of 6340 Geary Blvd. who owns Lot 2 in Block 7083 near the subject property. Mr. Steele then read a letter received by the Department from the Ocean View-Merced-Ingleside Community Association in support of the proposed use.

Commissioner Porter asked the applicant if he wished to make a presentation. Mr. Wilkening came to the microphone and offered to answer any questions from the Planning Commissioners. Commissioner Porter recognized Mrs. Wagener who came to the microphone and asked the applicant what the hours of operation for the proposed rental facility would be. The applicant responded that the hours of operation would be from 8:00 a.m. until 6:00 p.m. Monday through Saturday and from 9:00 a.m. to 4:00 p.m. Sundays. Mrs. Wagener responded that there could be a noise factor. The applicant responded that there would be no serious noise problem because customers would only be arriving one at a time and that there would be no business activity after 6:00 p.m. since there would be no one on the premises to return deposits for rented equipment.

Commissioner Porter asked if there was anyone to speak in favor of the proposed use. No one responded. Commissioner Porter thanked Mr. Wilkening who then returned to his seat. Commissioner Porter asked if there were anyone in opposition who wished to speak. Mrs. Henry Dellepiane came to the microphone and said she was interested that the property be cleaned up since it was now littered with trash and had several broken windows. The applicant, Fred Wilkening, responded from his seat that the property would be cleaned up.

Commissioner Porter asked if there were any others in opposition who wished to speak. No one responded.

Commissioner Porter asked for the Director's recommendation. Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to three specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Wilkening replied in the affirmative. After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7394 and that the application be approved subject to the conditions which had been recommended by the staff.

CU75.42 - 1201 MARIPOSA STREET, SOUTHWEST CORNER OF TEXAS STREET. REQUEST FOR AUTHORIZATION TO CHANGE A NONCONFORMING STATUS (GROCERY STORE) WITH A MAY 2, 1980 EXPIRATION DATE TO A CONDITIONAL USE WITH NO EXPIRATION DATE; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is about 1,750 square feet in area with a 25-foot frontage on Texas Street and about a 70-foot frontage on Mariposa Street in an R-3 use district. The proposal is to add a second dwelling unit at the rear of an existing building which has a ground floor corner grocery store and a second floor dwelling unit and two car garage. The proposed second dwelling unit at the rear of the existing building would have a studio room, kitchen and a full bath on the second level. The present deck on the garage would be expanded to cover the entire garage roof for use as open space. No changes would be made in the nonconforming grocery store or in the existing dwelling unit. The applicant is Rene Cardinaux, architect and authorized agent for Larry Nibbi, owner of the subject property.

Mr. Steele said that Section 151(a) provides that a nonconforming building may be enlarged only if the entire building is thereafter devoted to a conforming use. However, a nonconforming retail store as permitted in a C-1 (Neighborhood Shopping) district is qualified for consideration by the Commission as a conditional use. If the Planning Commission were to approve the application for change of nonconforming status to conditional use status, the applicant could then seek a variance from the Zoning Administrator since the proposed enlargement of the building would be in violation of residential standards of the Planning Code.

Commissioner Fleishhacker asked if the grocery store would become a conforming use if the Commission were to grant conditional use approval even though this was a residential zoning district. Mr. Steele answered in the affirmative.

Commissioner Porter asked whether the Residential Zoning Study now being conducted would address the problem of nonconforming uses in residential districts. Mr. Steele answered in the affirmative.

Commissioner Rueda asked whether the new residential zoning regulations which would be proposed within the year to the Planning Commission would allow such corner grocery stores to continue. Commissioner Porter said that many of the small corner groceries were going out of business at the present time and that the uncertainty of the nonconforming status with 1980 termination date was a hardship on such small businesses.

Mr. Steele again summarized the provisions of the Planning Code regarding nonconforming uses.

No one was present in the audience to be heard on this matter.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to four conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Fleishhacker suggested that the language in Condition 3 of the draft resolution be changed in order to make it more clear that the conditional use authorization would not in and of itself allow expansion of the building. The proposed language was briefly discussed and Condition No. 3 amended.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda and carried unanimously that the draft resolution as amended be adopted as City Planning Commission Resolution No. 7395 and that the application be approved subject to the amended conditions which had been recommended by the staff.

CU75.46 - 3927 AND 3929 CALIFORNIA STREET, SOUTHEAST CORNER OF 2ND AVENUE. REQUEST FOR CONDITIONAL USE AUTHORIZATION TO CHANGE THE NON-CONFORMING STATUS OF A BUILDING TO A CONDITIONAL USE WITH NO EXPIRATION DATE IN ORDER TO ALLOW APPLICATION FOR A VARIANCE FROM REAR YARD AND OTHER STANDARDS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is developed with a three-story corner building occupied by a nonconforming picture frame shop at the ground level and one dwelling each at the second and third levels, with a one car garage at the rear. He indicated that the applicant proposes to add two bedrooms at the rear of the second level on the garage roof for use by the applicant's family. The proposed rooms would occupy a portion of the required rear yard area. No changes are proposed for the nonconforming shop on the ground floor. The applicant is Paul Fries, contractor and authorized agent for Willie and Aguri Jones, owners of the subject property.

Mr. Steele stated that this case was similar to the previous case and he again summarized the nonconforming use provisions of the City Planning Code as they applied to this nonconforming building. He said that if the Planning Commission approves the application for a change in status for the subject property then the Zoning Administrator may consider a variance for enlargement of the residential portion of the building.

Paul Fries, representing the owners of the building who are also the operators of the picture frame shop, indicated that he was present to answer any questions which might be raised by members of the Commission. He said that the shop causes no problems for the neighborhood and that there were no more than four or five customers daily. He said a big day meant between eight and ten customers visited the shop. No truck deliveries or shipments, noise or odors are caused by this commercial use. Mr. Fries indicated that Mrs. Jones was present in the audience.

No one else was present to be heard on this matter.

Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to four specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. Mr. Steele indicated that Condition No. 3 would be amended in the same way as in the previous case. After summarizing the conditions with the proposed amendment, he recommended that the draft resolution be adopted.

Commissioner Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Fries replied in the affirmative.

Commissioner Porter asked why it was necessary to repeat in the draft resolution the termination date of May 2, 1980 for the proposed authorization. Mr. Steele explained that on this and the other two Commission cases on this calendar concern with changing status from NCU to CU that it was inappropriate to delete the 1980 termination date since the Residential Zoning Study would address this matter for all nonconforming uses of this type citywide.

Commissioner Porter stated that she had received numerous telephone calls from grocers and druggists who were uneasy about the 1980 termination date.

Commissioner Porter asked Mr. Steele how long the Residential Zoning Study would take to address this problem. Mr. Steele responded that he could not be definite but that if there were a prolonged delay, the Commission and the Board of Supervisors would be advised by the staff to take action to alleviate any problems for C-1 type nonconforming uses. Mr. Steele said that if the expansion of the residential portion of the subject building were definitely not in the best interest of the City then the Commission should not authorize it as a conditional use.

Commissioner Mellon asked for a clarification of this matter and noted that it was difficult for businessmen to spend money for an expansion of nonconforming buildings when they were unclear as to a termination date. Mr. Steele responded that the Commission could act in advance of the proposed residential regulations that would result from the Residential Zoning Study if it so desired but that at this time such action did not seem necessary. Commissioner Mellon said that small nonconforming commercial operations were performing an important service for the City and that there would be serious disruption and inconvenience if they had to be terminated during 1980. He would prefer that they had a more secure position. Mr. Steele said that changing nonconforming status to conditional use status for such nonconforming uses was a kind of reclassification and that if the Commission were to act to delete the termination date for this and the other two such applications on the calendar that a tremendous load of new cases would be generated. Mr. Steele said the best thing for the Commission to do at this time was to continue the termination dates and to approve the application to change status of these particular buildings in order to allow expansion of the residential portions of the buildings.

Commissioner Porter said that the new Planning Code regulations that would result from the Residential Zoning Study would hopefully make a separate recommendation regarding nonconforming use termination dates. Mr. Steele indicated that he would ask the Residential Zoning Study staff to consider the Commission's wishes on this matter.

Commissioner Porter asked if the conditions as amended which had been recommended by the staff would be acceptable to the applicant. Mr. Fries replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as amended as City Planning Commission Resolution No. 7396 and that the application be approved subject to the amended conditions which had been recommended by the staff.

CU75.47 - 1301-05 SANCHEZ AND 3993 - 26TH STREETS, SOUTHEAST CORNER OF THE INTERSECTION.
REQUEST FOR AUTHORIZATION TO CHANGE THE STATUS OF A NONCONFORMING USE (TAX PREPARER'S OFFICE AND TOY CRAFT SHOP) HAVING A MAY 2, 1980 EXPIRATION DATE TO A CONDITIONAL USE WITH NO EXPIRATION DATE; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 31-foot frontage on Sanchez Street and a 55-foot frontage on 26th Street, with a total of 1,705 square feet. The existing two-story corner nonconforming building is occupied by a store, used as a part-time tax preparer's office and toy craft shop, with a small dwelling unit to the rear, and a larger second floor flat. The applicant proposes to enlarge the first floor dwelling unit by adding 124 square feet of floor area at the rear of the building presently occupied by a deteriorated high-ceiling porch and stairway in the required rear yard area. No changes are proposed for the nonconforming commercial portion of the building or for the second floor flat. He added that a negative declaration was issued on October 10, 1975, and that the applicant was Christopher B. Ferrigno and Virgina J. Ferrigno, the owners of the subject property.

Mr. Steele briefly reviewed the nonconforming use provisions as they applied to the subject application and indicated that this case was similar in every respect to the two previous cases the Commission had heard.

Philip Jacka, representing the architectural firm hired by the applicant, indicated he was present to answer any questions which might be raised by members of the Commission. Mr. Jacka added that the proposed renovation of the subject building would not expand the existing building shell nor alter significantly the exterior of the building but in fact would increase the structural safety of the building and heighten the appearance of the building. He said that it would add 124 square feet to the rental unit on the ground level by using a hollow area of the existing basement which was almost two stories in height and resulted in wasted space.

Commissioner Rueda asked Mr. Jacka whether there were any windows affected on the property line. Mr. Jacka responded that there were no windows that would be blocked by the proposed work on the building but that it was a little distressing for the applicant to not have the expiration date for his nonconforming use deleted. Mr. Jacka asked the Commission to make a blanket decision in order to avert the need of the applicant to come before them again before 1980 to change the termination date. Mr. Jacka indicated this was the thought he wished to put before the Commission.

Mr. Steele responded that within several weeks the preliminary draft of the Residential Zoning Study would be before the Planning Commission and the public and that it would address the subject of the nonconforming uses. Mr. Steele continued that there would be action and a recommendation by the staff within six months if it appeared there would be too great a delay in solving this problem.

Commissioner Fleishhacker said that the Commission would probably be taking action during the middle of 1976 and that the applicant would not have to wait until 1980 for relief.

Commissioner Porter said she felt many of these small commercial uses had vanished. Mr. Steele responded that while many had disappeared many still remain and that the cause of the disappearance was not the termination date but probably the competition from supermarkets and chain drugstores. Mr. Steele continued that the small commercial uses make a valuable contribution to the City and should be encouraged.

Commissioner Porter agreed and said the Planning Commission would like to be able to give more assurance to the owners and operators of such small commercial uses and she hoped that within six months such assurance could be given.

No one was present in the audience to be heard in opposition to this matter.

Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to four specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. He indicated that it would be appropriate to amend Condition No. 3 as with the two previous cases. After summarizing the amended conditions, he recommended that the draft resolution be adopted.

Commissioner Porter asked if the conditions which had been recommended by the staff in their amended form would be acceptable to the applicant. Mr. Jacka replied in the affirmative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Finn, and carried unanimously that the draft resolution as amended be adopted as City Planning Commission Resolution No. 7397 and that the application be approved subject to the amended conditions which had been recommended by the staff.

CU75.44 - 935 AND 969 BUENA VISTA AVENUE WEST AND 60 CENTRAL AVENUE, ALL BEING THROUGH LOTS BETWEEN BUENA VISTA AVENUE WEST AND CENTRAL AVENUE.
REQUEST FOR AUTHORIZATION FOR RENEWAL OF A PREVIOUS AUTHORIZATION FOR A RESIDENTIAL CARE FACILITY SERVING 48 AMBULATORY PERSONS; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a capacity for 48 ambulatory adults on three locations on Buena Vista West. He mentioned that a negative declaration had been issued during 1973 and that conditions had not significantly changed since that time. He said the owner was still Pearline Chun who is also the operator of the residential care facility.

Mr. Steele noted that the Commission had authorized this identical use with conditions in 1973 for a period of two years prior to the adoption of Commission guidelines which no longer require a time limitation. He said it is the recent policy of the Commission not to limit to two years such uses

Pearline Chun, the applicant and owner of the subject property, said that she was requesting a conditional use authorization to continue her existing facility with no changes. She said she had been operating at these locations for the past 11 years.

Commissioner Fleishhacker asked about the present capacity of the use. Mrs. Chun answered that the capacity of the use had always been 48 ambulatory adults and that at present she had 35 occupants. She said she wished approval for the maximum of 48 which was allowed by the State of California.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to five specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft recommendation be adopted.

Commissioner Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mrs. Chun replied in the affirmative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted by City Planning Commission Resolution No. 7398 and that the application be approved subject to the conditions which had been recommended by the staff.

CU75.45 - 2018 WEBSTER STREET, EAST SIDE 101 FEET SOUTH OF SACRAMENTO STREET.
REQUEST FOR AUTHORIZATION FOR A PHILANTHROPIC OR ELEEMOSYNARY INSTITUTION, THE VICTORIAN THRIFT SHOP, WHICH IS NOW LOCATED ON THE PROPERTY; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has

a 31-foot frontage on Webster Street to a depth of 100 feet for a total of 3,134 square feet. The subject property is presently a four-story Victorian style frame building occupied by an unauthorized nonprofit fund raising retail store selling donated used commodities, operated by the Presbyterian Hospital Auxiliary of the Pacific Medical Center. Mr. Steele added that the building was formerly occupied by the Lions Eye Foundation Clinic. He said the applicant, Clifford F. Schwarberg, Jr., President of the Pacific Medical Center, the owner of the subject property, seeks a conditional use authorization to continue the present use. Mr. Steele added that the Pacific Medical Center had received conditional use authorization in 1963 and again in 1969 for expansion of its facilities with the condition, among others, that any sign shall be limited to identifying signs flush against the walls of buildings. This application had resulted from Planning Code enforcement action by departmental staff in order to have the projecting sign on Webster Street brought into conformity with the code provisions.

Mrs. Kay Cosper, a member of the Presbyterian Hospital Auxiliary, representing the applicant, addressed the Commission and indicated the sign was no longer projecting over the sidewalk but was not mounted flush against the building in conformity with the Planning Code.

Commissioner Fleishhacker noted that it would appear the use was inappropriate in the residential district because it was in the business of selling used objects. Mr. Steele responded that the Victorian Thrift House did more than sell used commodities. He said it gave occupational therapy to out-patients of the medical center's psychiatric unit and therefore could be considered an eleemosynary institution.

Commissioner Mellon indicated the premises were owned by the Pacific Medical Center.

Commissioner Fleishhacker said that hospital use does not include a second hand sales operation and he understood that many hospital organizations maintain such second hand shops in commercial districts.

Commissioner Porter said that the proposed use was in a most attractive building and that the Department would have been in happy ignorance of the presence of the Victorian Thrift Shop if there had been no projecting sign to bring it to their attention.

Commissioner Mellon added that conditional use authorization would help preserve a building that might someday be a landmark.

No one was present in the audience to oppose the application.

Mr. Steele stated that it was the recommendation of the Director that the application be approved subject to three specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mrs. Cosper, the representative of the applicant, replied in the affirmative.

At this point in the proceedings Mrs. Anne Bloomfield, President of the Pacific Heights Neighborhood Council, submitted to the Commission a letter from the council indicating no opposition to the legalizing of the Victorian House Thrift Shop.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7399 and that the application be approved subject to the conditions which had been recommended by the staff.

The Commission recessed for 15 minutes and continued at 3:15 p.m.

DR75.12 - CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW, AS A MATTER OF POLICY, FOR ALL APPLICATIONS FOR NEW OR ALTERED BUILDINGS OR OPEN USES ALONG THAT PORTION OF MARKET STREET WEST OF THE CENTRAL FREEWAY OVERPASS WHICH IS ZONED FOR COMMERICAL USE.

Ralph Gigliello, Planner II, presented this matter to the Commission. He reported that the 10-member associations of the Mayor's Advisory Committee on Upper Market Street had requested by letter dated October 10, 1975, that the Planning Commission evoke its discretionary review powers, as a matter of policy, on all commercial development on Upper Market Street. This would be an extension to Castro Street of the existing policy of discretionary review of development along Lower Market Street, from the Central Freeway Overpass to the Bay, established by the Commission in 1967. The main concern of the Advisory Committee, he said, appears to be the development of Market Street with gasoline service stations and fast food operations. Market Street is designated a Transit Preferential Street in the Transportation element of the Comprehensive Plan, he added. In addition he outlined the use and height zoning regulations in the area.

Jude P. Laspa, Chairman of the Mayor's Advisory Committee on Upper Market Street, presented additional transmittals to the Secretary of the Commission. He listed the neighborhood associations which were in support of the discretionary review policy for Upper Market Street. He stated that it was their desire that all building permit applications for new buildings within 50 feet of Market Street from the Central Overpass to Diamond Street be required to have discretionary review hearings.

Commissioner Porter asked Mr. Laspa whether he would include alteration permits for work on the interiors of buildings under such a policy. Mr. Steele answered that there was no intention to require discretionary review for alteration permits for interiors but to limit it to permits affecting the exterior of buildings, as well as traffic patterns.

Commissioner Ritchie stated that this discretionary review policy proposal covered a whole group of properties and he asked whether it would be necessary to handle applications on a case by case basis. Commissioner Fleishhacker answered in the negative and stated that the properties on Lower Market Street also were a very large group and had been handled adequately under this same process. Mr. Steele added that the properties to be included for discretionary review would extend to West Portal. Commissioner Mellon added that under the original bond issue for the beautification of Market Street that it was not contemplated that beautification would go beyond the Freeway because there was not the same intensity of development beyond the Freeway. Mr. Macris added that there was BART money being invested also at West Portal.

Commissioner Porter said that such a new discretionary review policy would give the Commission the same authority in this Upper Market area as in the Lower Market Street area.

Commissioner Fleishhacker read from the letter to the Commission from the Mayor's Advisory Committee on Upper Market Street:

> "We are especially concerned at this time about proposed service station and fast foods developments on the south side of Upper Market between Duboce and Dolores. These proposed businesses do not have a neighborhood orientation and will increase traffic flow and congestion in our area, largely from sources outside of our neighborhood. We request that discretionary review be taken on these projects."

Commissioner Fleishhacker emphasized that the committee was most interested in restricting gas stations and fast food operations from this area. He said there was a difference between a request for blanket discretionary review and the specifics mentioned in this letter. Mr. Steele responded to this by saying that while there was concern about the fast food and gas station projects on the mortuary site at Dolores, Market and Duboce Streets that there still was a desire to have discretionary review on all projects along Upper Market Street.

Commissioner Porter said that she fully understood the need for discretionary review on million dollar buildings on Lower Market Street. She asked what would be the burden on the Department's staff if discretionary review were taken on all the buildings on Upper Market Street including those not intended for commercial purposes. Mr. Steele responded to this by saying that in his personal opinion there would not be a great deal of case work in any given period of time since there probably would not be that many changes in the Upper Market area. He added that a relatively minor number of cases had been brought so far before the Commission for Lower Market Street. In addition, he said that in other portions of the City the Department was processing many more applications than along Market Street and that during the past year only three cases on Market Street had been brought before the Commission and that was not an exceptional burden.

Commissioner Porter said that she felt there were a great number of properties along the Upper Market Street area and that while she thought it would be good to take care of problems caused by the fast food facilities that it was not wise to burden all the properties including the owners of flats and apartments with a discretionary review policy. Mr. Steele responded by saying that it was probably appropriate to modify the request so that only those applications with problems for the neighborhood would be brought to the attention of the City Planning Commission. Commissioner Fleishhacker added that it would be appropriate that only those applications be brought in that involve specifically fast food franchises and gas stations.

Commissioner Fleishhacker asked whether such uses were permitted in the zoning district along Upper Market Street. Mr. Steele answered that such uses are permitted in a C-2 (Community Business) zoning district. Commissioner Fleishhacker said that it might be wise to have all gas stations and fast food facilities on a citywide basis be brought in for discretionary review. Mr. Steele responded that such an idea might be coming along in the future but that it was difficult to define a fast food operation and that Market Street was a special situation because a great deal of public funds had been expended both on and under the street. He added that other uses also may not be appropriate on Upper Market Street and that the present height and bulk restrictions as well as the zoning use regulations could not cover all possibilities and some review seemed appropriate.

Jude Laspa, Chairman of the Mayor's Advisory Committee on Upper Market Street and Vice President of the Eureka Valley Promotion Association, said that there had been early rumors of a fast food facility on Upper Market Street many months ago. He then briefly gave a background report on the beautification project for Upper Market Street from the 1968 bond issue to the present time. He mentioned the original $400,000 assigned for beautification at the Castro and Church Streets' stations, the overall plan for all of Upper Market, street widenings, the improvement of the sidewalks, the Transit Task Force involvement, and the brick sidewalks and Path of Gold fixtures.

Commissioner Porter asked if this was the beautification plan done by Pierro Patri. Mr. Laspa responded in the affirmative. He added the 1.8 million dollars was appropriated for the project for beautification between the Central Freeway and Collingwood along Upper Market Street. He said that the neighborhood felt that Upper Market Street was in an emergency situation and that with the new improvements of the transit and the street widening that the area would be used for downtown-type development. He added that from the point of view of developers the neighborhood was under-utilized and that neighborhood oriented commercial uses could not pay their way. He said that the commercial zoning in the area could turn around the residential quality if any additional gas stations were added on Market Street. He said his group has the support of merchants who were oriented to the neighborhood. He said he agreed with Commissioner Fleishhacker's point and that it was not the intention that everybody come to the Planning Commission for discretionary review of all permit applications. It was

their intention, he said, that gas stations, fast food operations, and other major development changes in the area be required to have discretionary review. He said that six to eight drive-in banks were already along that area and that banks should be looked at also. Commissioner Porter thanked Mr. Laspa for his presentation.

Commissioner Fleishhacker asked how one would define the character of development in the Upper Market area. He said he thought it was a very mixed development. Mr. Laspa responded that he agreed that it was an area of very mixed character but that there would be a major thrust to make it far more like the downtown commercial area. Commissioner Fleishhacker said that in his opinion the downtown was quite different and that discretionary review of the design and size of major office buildings presented an entirely different problem. Mr. Laspa said that he felt the 320-foot height limit at the corner of Van Ness and Market Street, and the 80-foot height limit at Church Street as well as the 40- and 55-foot limits at Castro Street would lead to a commercial push up Market Street especially with the improvements in the transit system. He said he thought it appropriate that the same sort of discretionary review control being used on Lower Market Street be used on Upper Market Street.

Commissioner Ritchie said that in his opinion there would be no construction of major office buildings west of the Freeway overpass and that he felt the neighborhood was flattering itself in thinking there would be a commercial push up Market Street. Mr. Laspa responded that it was hard to tell what would happen but that he was worried because of proposals for the Bank of America and for the Fireman's Credit Union office building. Commissioner Ritchie said that he was puzzled and that he wondered if the neighborhood expected that discretionary review would amount to a prohibition of all commercial development along Upper Market Street. Mr. Laspa responded that on some blocks commercial development for offices was appropriate but that he did not think that used car lots, and marginal uses were appropriate along Market Street either. Commissioner Ritchie said that proposals could be taken as discretionary review matters on an individual basis at the present time. Mr. Paspa responded that it was important to understand the development of the whole Upper Market corridor. Commissioner Ritchie asked whether the plan for Upper Market Street was an official Planning Commission Master Plan. Mr. Laspa responded that as Commissioner Porter had said the plan by Whisler-Patri had been a master plan for the area in the late 60's but that it had not been officially adopted by the Commission. Mr. Laspa stated he was certain that while there were no office buildings proposed at the present time for the area that such applications would come in the future.

Commissioner Rueda said that it might be good to write a policy statement as guidelines for this very sensitive area. He thought that a blanket discretionary review policy would stop development and that guidelines were needed so the discretionary review would operate properly.

Commissioner Finn agreed with Commissioner Rueda on this point. He said he shared the same fears as the people who live in the Upper Market Street area and that it was wise to keep out undesirable uses there. He agreed that guidelines for such a policy should be submitted to the Commission. He said he did not want to throttle development by such a policy. Mr. Laspa responded that discretionary review had not throttled development on Lower Market Street.

A woman in the audience responded that the whole Eureka Valley appreciates Commissioner Finn's statement about sensitivity to the neighborhood. She said that people, especially children, were hurt by the commercial development there. She said the people in the area had gone through a great deal with the work that had gone on for the Municipal Railway, and that fast food outlets and gas stations were things they did not want on Market Street.

Commissioner Porter said the Commissioners were all very sympathetic to the needs of the neighborhood. She asked Mr. Steele for guidelines so it would not be necessary to review every permit in the area. Mr. Steele said that all development in this area will be reviewed by the Department's staff. He said the staff would flag those applications on Upper Market Street which were out of character with the existing scale of development there. He said that the staff would look immediately for any poor projects now. However, he said that he was still going to ask for a discretionary review policy at this time and that he would have guidelines drawn up for use with the discretionary review. He again said it was difficult to define what is a fast food operation and that no matter how tightly such guidelines would be written there would be loopholes in them. He said it was more of a question of giving the staff direction in order to bring in the inappropriate developments.

Commissioner Mellon said that this was a more logical approach. It would provide more protection for the street and would not inhibit development along Upper Market Street. He said that property owners get nervous with matters such as this.

Commissioner Fleishhacker asked whether the Patri plan could be used for such guidelines. Mr. Steele responded that the plan was not definitive and so would not be very useful. Commissioner Fleishhacker said that if the plan was useful then guidelines could say "if an application is not in conformity with the plan" it could then be turned down. Commissioner Porter added that in her opinion the plan had been a dream.

Mr. Laspa said that he thought the plan for the Upper Market area was a segmented one and that it could not be found in a single document. He said there were background papers for the old height limits and that a partial plan had been submitted for the Residential Zoning Study on residential regulations and that he would like to make the Residential Zoning Study ideas more definitive.

Commissioner Mellon said that he felt an area of such mixed uses was hard to define. Mr. Laspa said that take-out stores and drive-in banks were the wrong and inappropriate trend. He said a mixture of uses was good but that his group

did not want four more Safeway stores in the area. Commissioner Mellon said that his understanding of the proposed policy was that there would be a prohibition on any proposal out of character with the present development.

Commissioner Fleishhacker said a policy statement was good but it was difficult to use without knowing the plan for the entire area. He felt this would set an undesirable precedent for the Commission.

Commissioner Porter said she did not think office buildings were probable in that area. She said she thought the Eureka Valley would rise en masse if a highrise office building were proposed. She thought the major concern was about fast food operations and gasoline stations as Mr. Steele had noted. Mr. Steele responded that while it was fairly easy to handle gasoline station applications, that fast food operation applications were much more difficult. He added that in his opinion other types of uses may or may not come to the area and could not be determined at this time. He said the staff would bring to his attention those applications that appear detrimental to the Upper Market Street area.

Commissioner Fleishhacker said that once you see plans, that money had been spent already and it would be better if there was a warning signal for developers in the Upper Market area. He said he thought that a discretionary review policy would be such an early warning signal.

Commissioner Rueda said that this was a difficult subject and that it could not be solved today. He asked that the matter be sent back to the staff in order for them to meet with the neighborhood so that a coherent policy and position could be worked out.

Commissioner Finn said that he thought language in a discretionary review resolution should include something to the effect that any application that would require further dropped curbs be included for discretionary review. He agreed that the matter should be sent back to the staff.

It was moved by Commissioner Ritchie and seconded by Commissioner Finn that the matter be put over for further study by the staff, in coordination with the neighborhood. The matter passed unanimously.

Commissioner Porter asked whether the Eureka Valley neighborhood never, never, never, wanted a fast food operation. Mr. Laspa responded that their tendency was to not want certain types of commercial development. Mr. Laspa continued that where a project was known early enough to the neighborhood, modifications could be made to buildings so that they would not have a negative impact on the neighborhood. Commissioner Porter said she thought Mr. Laspa and the woman from the Eureka Valley should talk to Mr. Steele so they could be sure that all applications would be checked.

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 452329 FOR THE CONSTRUCTION OF DECKS AT 64 - 6TH AVENUE.

Ralph Gigliello, Planner II, presented the case to the Commission using snap shots and plans to illustrate the proposed rear deck on the one-family house at 64 - 6th Avenue. A diagram was given to the Commissioners for review.

Commissioner Fleishhacker said that at this stage it was a question of whether or not the Commission would take discretionary review of the matter. He said he wished to hear the parties in dispute. Mr. Steele added that a better set of photographs would be brought in as soon as possible and that it was appropriate for both parties in the matter be given a chance to present their views to the Commission.

Commissioner Porter asked who was there in support of the proposed decks.

Janis Walker of 64 - 6th Avenue reviewed the case for the Commissioners. She said that there had been no problem with the Davidsons six months ago and that now they were two-thirds of the way through the project. She said that the other family had pulled a copy of the plans "out" without consulting them. She said she did not know how a redwood deck would hurt the neighborhood. She said there was a deck on an adjoining house that afforded a complete view of their eating area and home and never bothered them. Mrs. Walker added that of 21 houses, 18 had decks at the back. She thought the deck on her house that was proposed would be no problem. Mrs. Walker said the sequence of events had been very curious to her husband and herself. She said that a rhododendron bush had been uprooted and replanted in order to cause her proposed deck to appear more harmful. She said that the Davidsons had a deck off of their kitchen. Mr. Walker added that the deck would be 12 feet by 12 feet and be made of natural redwood and that it was not a fast food outlet. Commissioner Porter asked how far did it protrude into the rear yard. Mr. Walker answered that it would protrude 12 feet. He said they had a 45-foot rear yard and that it was not in an R-1 district.

Commissioner Ritchie said he was familiar with the area and that he did not recall any two-story decks in the area. Mr. Walker responded that the present deck was at the ground level and that eventually after the new deck was added they would add a staircase from the upper deck to the lower deck but that was not planned at the present time.

Mr. Steele presented plans for the proposed deck to the Planning Commission. Commissioner Porter stated again that at this point discretionary review was requested.

Commissioner Rueda asked whether the houses were back to back or side by side and Mr. Steele answered side by side.

Ronald Petgilly, representing the Davidsons who reside next door, said that the Davidsons were opposed to the deck because it would be on the property line. He said the Davidsons would end up with a solid wall in front of their living room. People then, he said, could look into their living area. He asked

that the Commissioners take time to visit the site and see what harm would be done by the proposed deck. He said he thought it was possible to arrange the deck so that no great damage would be done. He thought the same deck with the same square footage could be built so there would be no elimination of the Davidsons' light.

Commissioner Fleishhacker asked if the back of the property were angled and if windows could be put in. Mr. Petgilly responded in the affirmative.

Commissioner Porter asked about the status of decks at the second story. Mr. Steele responded that there was a different status for decks at the second level than at the lower level. He said there was no prohibition under the terms of the Planning Code to a deck less than three feet above the ground. However, a deck at the upper level counts as far as coverage is concerned. Here, he said, the proposed deck would not exceed the standards of the Planning Code.

Mr. Petgilly said that the Davidsons were asking for discretionary review in order to give them more access at the second story.

Commissioner Porter said the Commission would not arbitrate if there was a disagreement between neighbors.

Commissioner Fleishhacker said he felt that the Commission should take discretionary review. Commissioner Rueda said he agreed but that he wanted to visit the site first.

Commissioner Porter said that it was the decision of the Commission that the matter be put over to November 13, 1975, in order for a site inspection to be made.

Commissioner Rueda suggested that the neighbors get together and resolve their differences. He said he thought that would be better than having outsiders make the decision for them.

Mr. Petgilly said he hoped the Commission would put the matter off to a later date because he would be out of the country. Commissioner Porter said that the Commission would make its decision whether or not he was here.

CU75.48 - 2426 PINE STREET, NORTH SIDE, 119.667 FEET EAST OF PIERCE STREET.
REQUEST FOR AUTHORIZATION TO CONVERT A PORTION OF THE EXISTING RESIDENTIAL BUILDING TO A PROFESSIONAL OFFICE BUILDING; IN AN R-4 (HIGH DENSITY MULTIPLE RESIDENTIAL) DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is developed with a two dwelling unit building with four levels of occupancy and no off-street parking spaces on a lot which is 3,740 square feet having a frontage of 27.2 feet along Pine Street and a depth of 137.5 feet. He said the

applicant proposes to convert four rooms on the second floor and two rooms on the third floor to offices for five psychiatrists. The second floor kitchens and rear bedroom would be for residential use of one psychisatrist. The first floor dwelling would remain a one-family dwelling unit. Off-street parking would be provided on nearby existing lots.

Mr. Steele said that the thoroughfares plan of the Transportation Element designates Pine Street as a major thoroughfare and that Pine Street is one-way west and carries downtown evening traffic to residential areas. He continued that the proposed revisions to the Residence Element says in part that the quality and diversity of most of San Francisco's residential communities and the general sound condition of their housing, indicate that conservation of existing housing is the most effective way to address the City's housing needs and goals. Preservation and rehabilitation of existing housing will improve the physical condition of the housing stock and retain the existing character of the neighborhoods. Mr. Steele continued that the Department had had requests about office conversions to the east of the subject property on the same block. He said that professional offices can be approved as conditional uses in R-4 zoning districts.

Rejane Droby, real estate broker, appeared as the applicant and offered to answer any questions from the Commission.

Bob Hazan, resident at 100 Walnut Street, appeared to represent the Pacific Heights Association in opposition to the proposed conditional use. He read a letter from the association to Commissioner Newman opposing approval of Mrs. Droby's application. He said it was the goal of the association to protect the residential uses in the area. He described the area which includes schools, churches, and the telephone company switch station as appropriate to the area and not affecting the residential character. He said everyone knew what had happened to Pine Street and that it was the desire of the association to preserve the residential area as it was. He said he would be delighted to take the purchasers and show them other buildings on Sacramento and Fillmore Streets which are already commercially zoned. He said he could also quote from the revisions for the residence plan that were applicable to this case, especially the language on page 26 which says that only small nonresidential uses which contribute to the neighborhood should be permitted in residential areas. He said that there were already enough professional offices on the block and that no more were needed for the neighborhood's needs. He said of the eight criteria listed for nonresidential uses in residential areas that four criteria had already been violated. He said the subject building should be preserved for residential use.

Mrs. Joseph Ringo of 2565 California Street, directly behind the subject property, spoke in opposition to the proposed conditional use authorization. She said she was opposed to use of the entire building for professional offices. She said she remembered when Kennedy and Rhine, attorneys next door to the subject property, had moved in and assured the neighbors that someone would be living in the building. She said that now the law offices were entirely occupying that structure and there was no 24-hour resident in the building. She said she was concerned and did not want the neighborhood to turn into an office area. She said she liked to have people living in the area on the evenings, weekends, and holidays as well as during working hours.

Commissioner Ritchie said he was not aware that Pacific Heights reached all the way to this area.

Commissioner Porter said that at the time of the discussions about a 40-foot height limit in this area the Pacific Heights Association had included this section in its jurisdiction.

Mr. Steele stated that it was the recommendation of the Director that the application be disapproved for the reasons that the subject property is within an area of the City having several major hospitals, numerous medical office buildings, and substantial commercially zoned property which could accommodate professional offices and that the provision of professional offices on this residential street would increase the level of activity on the street and would increase the competition for the limited number of parking spaces in the area, and thirdly, that the proposal would make a large housing unit unavailable for residential use and such housing is in short supply throughout the City.

Mrs. Droby responded to the Director's recommendation by saying that property values had gone up tremendously in this neighborhood and that approval of the conditional use would not change the character of the neighborhood. She said that the Kennedy and Rhine office had kept its residential character and that the applicant here had no intention of having a sign in front of the building. She said the Victorian charm would be retained. She added that the five psychiatrists who wish to use the building had arranged for the parking of their automobiles.

Commissioner Porter asked about parking for the five patients and any employees. Mrs. Dorby responded that they might have one nurse working with them but that after 2:30 in the afternoon there was plenty of parking there since St. Rose's Academy let out at that time. She said St. Dominic's had a large parking lot, as well as the United Way office at the corner. She said that residential tenants would remain downstairs in the building.

Commissioner Ritchie said that a similar case on Divisadero had been turned down and that he would uphold the Director's recommendation for disapproval.

Mr. Steele said that there was C-2 zoned property nearby on Fillmore Street but that there was no C-1 property in the vicinity. Such offices he said could locate in any commercially zoned area.

After further discussion it was moved by Commissioner Ritchie, econded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7400 and that the application be disapproved.

The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Robert H. Feldman
Acting Secretary

DOCUMENTS

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 13, 1975.

The City Planning Commission met pursuant to notice on Thursday, November 13, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Peter Svirsky, Executive Assistant to the Director of Planning; Wayne Rieke, Planner IV (Zoning); Alec Bash, City Planning Coordinator; Audrey Owen, Administrative Assistant to the Director of Planning; Ralph Gigliello, Planner II; Paul Rosetter, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to property located at 64 - 6th Avenue, which was the subject of a discretionary review held later in the meeting.

2:15 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of October 2 and 9, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded members of the Commission of the Special Meeting scheduled next Wednesday evening, November 19, at 7:30 p.m. in Room 282, City Hall. At that time, the public hearing on proposed revisions to the Residence Element of the Comprehensive Plan will be continued.

The Director advised the members of the Implementation Committee (Commissioners Fleishhacker, Porter, Rueda) of a meeting scheduled next Thursday, November 20, at 12:00 Noon.

The Director announced that next Thursday's meeting of the Neighborhood Plans Committee has been cancelled.

The Director noted that the full Commission is scheduled to take a field trip at 1:00 p.m. next Thursday to visit properties to be considered during the Zoning Hearing to be held on December 4.

In accordance with a recommendation made by the Director, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Commission's Regular Meeting on Thursday, November 27, be cancelled in observance of Thanksgiving Day.

AFFIRMATIVE ACTION PLAN FOR 701 COMPREHENSIVE PLANNING GRANT CONSULTANTS' CONTRACTS (FOR ADOPTION).

Dean L. Macris, Director of Planning, explained that the Department of Housing and Urban Development (HUD), in providing planning and management (701) grant funds available to the Department of City Planning for the hiring of consultants, requires that the Department have an affirmative action plan to seek minority consultants, that the plan be available in writing, and that it be adopted by the City Planning Commission. He then summarized the plan which had been prepared by the Department of City Planning which read as follows:

"THE PLAN:

"1. A written Request for Proposals (RFP) will be prepared which details the nature, needs and time constraints involved in the intended work program; the RFP will include the name and phone number of a contact staff person capable of answering related questions; explain the concern for minority capability, encouraging joint ventures where necessary to combine minority capability with specialized skills; request that proposals be submitted in three parts (a technical proposal, a budget and a statement of minority capability); and finally invite the consultant to an information meeting;

"2. A description of the proposed work program will be advertised in local papers, including at least one minority paper, at least 30 days prior to the submission deadline for proposals;

"3. In conjunction with step 2, copies of the RFP will be sent to local minority firms (i.e. firms owned or controlled by minorities or firms which employ minorities in decisions making positions.) which appear on a list supplied by the local HUD Area Office and amplified where necessary by minority firms known to the City.

"4. Within about 10 days after steps 2 and 3, an information meeting, open to all interested persons, will be held for the purpose of explaining the contract and distributing any additional information which might be relevant;

"5. Within approximately 2 weeks of proposal submission deadline, all proposals will be reviewed in terms of (a) minority capability, (b) comprehension of the work program (c) ability to fulfill the contract needs, and (d) the amount of their bid.

"6. During the following week, the top 50% of the proposals or if more than 10 submissions are received, at least 5 proposals, will be interviewed. Interviews will seek to confirm, clarify and amplify information received in the written proposals. During interviews, special attention will be given to identifying the minorities on the consultants' staffs' and the work to be performed by each staff member assigned to the project.

"7. A final selection of the contractor will be based on the following criteria:

"a. Staff and research resources;
"b. minority involvement;
"c. background experience and familiarity with the nature of the work program;
"d. other experience which may be useful in the performance of the contract;
"e. proposed methodology for the project;
"f. ability to complete the work program on time; and
"g. cost.

"8. All bidders will be informed by letter regarding the final selection of a contractor.

"9. At the request of any bidder a post selection meeting will be held to discuss the procedure employed and to provide assistance to those new firms unaccustomed to preparing proposals."

Commissioner Rueda, noting that the plan would require that a description of the proposed work program should be advertised in at least one minority paper, remarked that it might be difficult for the Department to decide which minority paper should be used; and he suggested that it might be preferable for the Department to invite minority firms to register with the Department so that they could be notified of a prospective consultant job directly.

Commissioner Finn asked if HUD has any requirements for advertising consultant proposals. The Director replied in the negative.

Commissioner Fleishhacker observed that the term "minority" was not defined in the plan; and he questioned whether a minority firm is one which hires minorities or one which has minorities in decision making positions.

The Director stated that the Department of City Planning does have a list of consultant firms which consider themselves to be minority firms. In view of the questions and concerns which had been raised by members of the Commission, he suggested that this matter should be held over for one week so that he could discuss the plan further with representatives of HUD.

After further discussion, the Commission decided to take this matter under advisement for one week.

R75.54 - SALE OF PUBLIC LAND BETWEEN MUSEUM WAY AND STATES STREET.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The property proposed to be sold is a 25 by 125 foot lot between Museum Way and States Street; Corona Heights Playground is to the north, across Museum Way, and also to the east, six lots removed. The lot is unimproved, and was originally set aside by the Recreation and Park Department for access to the Josephine D. Randall Junior Museum and Corona Heights Playground. That Department has now declared this property surplus to its needs, in view of the fact that such access is presently available from both Museum Way and States Street.

"The property is in an R-2 (Two-Family Residential) district, and slopes steeply downward from Museum Way to States Street. Development on the adjacent lots generally consists of two-family dwellings, with some structures fronting on Museum Way and others on States Street.

"The Residence Element of the Master Plan, in the Generalized Residential Land Use Plan, designates the area of this property as Low Density, for single-family and duplex row houses. That Element, in Objective II, Policy 2, calls for giving priority in the disposition of surplus land to uses that best meet public needs. The property would not, however, be useful either for public facilities or to meet other public objectives, nor would leasing of this parcel of land be a desirable alternative."

Mr. Bash then indicated that it was the recommendation of the Director of Planning that the sale of the land be approved as in conformity with the Master Plan.

No one was present in the audience to be heard on this matter.

Commissioner Rueda asked if any specific use of the property was contemplated. Dean L. Macris, Director of Planning, replied that he was not aware of any specific proposals; however, he noted that the property is zoned R-2.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the sale of public land between Museum Way and States Street, Lot 12 in Assessor's Block 2620, is in conformity with the Master Plan.

R118.75.16 - PUBLIC HEARING ON TENTATIVE MAP FOR SUBDIVISION ON EAST AND WEST SIDES OF CAMBRIDGE STREET BETWEEN FELTON AND SILLIMAN STREETS FOR 13 LOTS.
(Continued from Meeting of October 23, 1975.)

Paul Rosetter, Planner II, referred to land use and zoning maps to describe the subject property. He stated that the property on the west side of Cambridge Street, which would be sub-divided into 11 lots, has frontages of 300 feet along Cambridge Street and 120 feet along Felton Street. The property on the east side of Cambridge Street, which would be subdivided into two lots, has a 50-foot frontage and a depth of 120 feet. All of the subject property, as well as the surrounding private land, is zoned R-1 and is in a 40-X Height and Bulk District. The property is vacant. The proposal was to resubdivide the existing five large lots on the west side of Cambridge Street into eight 25 by 100-foot lots and one 25-foot by 95-foot lot fronting on Cambridge Street, one 25 by 100-foot lot fronting on Felton Street, and one corner lot with an existing residence with frontages of 75 feet on Cambridge Street and 95 feet on Felton Street. The two lots on the east side of Cambridge Street, one with a 30-foot frontage and one with a 20-foot frontage, would be resubdivided into two lots, each measuring 25 feet by 120 feet. No development plans have been submitted to the Department of City Planning; but the present zoning would not permit construction of duplex or apartment structures on lots of the size contemplated. The typical use permitted in R-1 districts is single-family residences.

Dean L. Macris, Director of Planning, recommended that the subdivision be approved as in conformity with the Master Plan provided that street trees be installed following preparation of a street tree planting plan, to be approved by the staff of the Department of City Planning before permits to built on the property are granted, and that the sales program for the property shall promote affirmative action in housing as required by Section 1342 of the Subdivision Code.

No one was present in the audience to be heard on this matter.

Commissioner Fleishhacker felt that it should have been possible for the developer to devise a more imaginative lot pattern than the one which was being proposed. The Director stated that he would meet with the developer to see if any changes could be made in the lot pattern.

Commissioner Miller felt that provision of common areas might help to break up the monotony of the subdivision.

Commissioner Rueda noted that a Planned Unit Development had been proposed in the subject neighborhood in the past; but residents of the area had objected to that proposal, indicating that they preferred row housing.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7401 be adopted finding that the subdivision of Lots 24 and 25 in Assessor's Block 5938 and Lots 2, 3, 4 and 5 in Assessor's Block 5939, as set forth in the tentative maps submitted with the referral, is consistent with the Master Plan, provided that street trees be installed following preparation of a street tree planting plan, to be approved by the staff of the Department of City Planning before permits to build on the property are granted, and that the sales program for the project shall promote affirmative action in housing as required by Section 1342 of the Subdivision Code.

R118.75.20 - PUBLIC HEARING ON CONDOMINIUM SUBDIVISION AT 1770 PACIFIC AVENUE FOR CONVERSION TO 16 UNITS.

Alec Bash, City Planning Coordinator, described the subject property as a rectangular parcel with a frontage of 63.5 feet and a depth of 127.7 feet for a total area of 8,109 square feet. The property is zoned R-4 and is subject to an 80-A Height and Bulk District. The property is developed with an 18 unit rental apartment building with a height of four stories. The proposal was to convert the building into 16 condominium units. One lower unit would become part of the building's common area, and two previously divided units would become one condominium unit. Each of the condominium units would have six rooms and two baths; and the units would sell for prices ranging from $47,500 to $54,000, with the more expensive units being located on the upper floors of the building. The building had two vacancies as of September 29, 1975. Mr. Bash stated that the Subdivision Code requires that the City Planning Commission determine whether any units to be converted are part of the City's low or moderate income housing stock; and, if any of the units are found to be part of that stock, the price of the units upon conversion must not remove them effectively from that housing stock. In that regard, the staff had analyzed the proposed sale prices, assuming a family of four at the upper limit of the moderate income range, filing a joint income tax return and with an 80% mortgage at 9½% over thirty years; and the decision reached as a result of that analysis was that the sale prices would compare with the accepted national standard of a maximum of approximately 25% of monthly income for rent. Therefore, the prices of the units upon conversion would not remove them effectively from the City's moderate income housing stock.

Commissioner Ritchie stated that he felt that the restrictions placed on the property owner by the Subdivision Ordinance in the present instance constituted a gross invasion of the owner's property rights; and he stated that he would prefer not to participate in the Commission's action. Commissioner

Fleishhacker remarked that the electorate had just approved a Charter Amendment which would require that all members of the Commission must vote on a matter before the Commission unless excused from voting by a motion adopted by a majority of the members present. Commissioner Miller stated that the Charter Amendment has not yet gone into effect. Commissioner Ritchie stated that he would vote on the matter but that he intended to cast a negative vote.

President Newman asked if the section of the Subdivision Code requiring the City Planning Commission to analyze the effect which a conversion would have on the City's low-or moderate-income housing stock pertains to all condominium conversions. Mr. Bash replied in the affirmative.

President Newman than asked if the sale prices which had been cited by the subdivider would be the maximum he could ask for the units if the conversion were to be approved by the Commission. Mr. Bash replied that he was not sure whether the figures cited would be considered a maximum sale price; however, the subdivider would not be permitted to establish a sale price which would effectively remove low or moderate income units from the City's housing stock.

Commissioner Ritchie remarked that the Subdivision Ordinance reflected the point of view that government should be in a position to determine how an individual may spend his money for living accommodations; and he objected to that concept of government.

Robert Mills, Attorney for the subdivider, stated that rents in the subject building are really quite low; and he indicated that the building has had 100% occupancy. He felt that rental rates could have been charged for the units which would have removed them from the moderate income range.

Commissioner Fleishhacker asked if all of the present occupants of the building intend to purchase their units. Mr. Mills replied in the negative but remarked that none of the tenants have left in spite of the fact that they had been made aware that the condominium conversion was being proposed.

President Newman asked if the sales prices which had been cited were intended as the top prices which would be asked. Mr. Mills replied that that was his understanding.

The Director recommended that the condominium subdivision of the subject building be found in conformity with the Master Plan subject to the following conditions:

"1. The price of the units upon conversion shall not be such as to remove them effectively from the City's moderate income housing stock, as required by Section 1385(b) of the Subdivision Code.

"2. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.

"3. The present tenant or tenants of any unit to be converted shall be given a nontransferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.

"4. The subdivider shall comply with any applicable temporary, permanent, and low and moderate income relocation requirements of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code."

Commissioner Ritchie stated that he believed that his past voting record would show that he had generally been opposed to the condominium conversion of small multi-unit buildings. He felt that such conversions are unwise both for tenants and for purchasers.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the subdivider. Mr. Mills replied in the affirmative.

Commissioner Fleishhacker remarked that the staff of the Department of City Planning had determined that the sale prices which had been cited would satisfy the Subdivision Ordinance by allowing the units to remain in the City's moderate income housing stock; but he was concerned about the fact that the draft resolution which had been prepared by the staff did not establish a maximum price for the units.

The Director stated that the action taken by the Commission would undoubtedly affect the sales price of the units; however, he did not feel that the Subdivision Ordinance in any way requires the Commission to establish a maximum price for units to be converted to condominiums. He believed that the draft resolution which had been prepared by the staff would meet the Commission's responsibility under the Subdivision Code. Based on the information which was available, he felt confident that he could recommend approval of the condominium conversion to the Commission with assurance that that action would not result in the units being "effectively" removed from the City's moderate price housing stock as a result of that action.

Commissioner Miller inquired about the age of the subject building. Mr. Mills replied that the building is 73 years old.

Commissioner Ritchie remarked that the building was originally designed for tenants; and he felt that conversion of such an old building to condominium units would be unwise.

Commissioner Rueda stated that he, also, was opposed to the condominium conversion of buildings which are more than 20 years old; but he felt that it would be difficult for the Commission to disapprove the condominium conversion proposal. Before voting on the matter, however, he felt that an additional condition should be added to the draft resolution establishing a maximum sale price for the units as well as a maximum monthly carrying cost for purchase of the units.

Commissioner Fleishhacker suggested that Condition No. 1 of the draft resolution could be modified to provide that the proposed purchase price of the unit should not exceed $54,000 so that the units would not be removed from the moderate income housing stock of the City. Commissioner Rueda moved that that language be incorporated into Condition No. 1 of the draft resolution. The motion was seconded by Commissioner Fleishhacker.

Commissioner Ritchie asked if the Commission would have the right to disapprove the proposed condominium conversion. The Director replied that the Commission could find that the proposed conversion was not consistent with the Master Plan; and, in that case, the Director of Public Works would have to disapprove the proposal.

President Newman suggested that the Commission might wish to discuss the matter with the representative from the City Attorney's office before taking action on the proposal.

Commissioner Finn remarked that the City Planning Commission had approved the construction of "so-called" moderate income condominium units in the past; but when they were completed, many of those units had sold for prices ranging from $72,000 to $100,000. He felt that similar circumstances could develop in the case of a condominium conversion; and, as a result, he believed that the Commission should seek the advice of the City Attorney before taking action on the subject proposal.

After further discussion it was moved by Commissioner Rueda and seconded by Commissioner Fleishhacker that this matter be taken under advisement for one week.

Commissioner Ritchie stated that he would also like to have the Director of Planning comment on the desirability of converting buildings older than 25 years of age from rental units to condominium units when the matter is recalendared for consideration.

When the question was called, the Commission voted unanimously to take this matter under advisement until the meeting of November 20, 1975.

DR75.11 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 447956 FOR A PROPOSED 2-FAMILY DWELLING, 39 FEET IN HEIGHT, AT #2 McCORMICK STREET.

Wayne Rieke, Planner IV (Zoning), referred to land use and zoning maps to describe the subject property which has a frontage of 29 feet on McCormick Street and a depth of 58.5 feet for a total area of 1,696.5 square feet. The property is zoned R-4-C and is subject to a 65-A Height and Bulk control. The property is presently occupied by a one-story single family dwelling with no off-street parking spaces. The applicant proposed to construct a two

family dwelling with three stories of residential occupancy above two off-street parking spaces at ground level. The building would have a height of 39 feet. The discretionary review of the building permit application had been requested by Jacqueline Idiart of 3 McCormick Place in a letter dated August 23, 1975. In addition, two petitions opposing the proposed building had been received which had been signed by Ms. Idiart and ten other residents of the neighborhood. Mr. Rieke noted that members of the Commission had previously taken a field trip to the subject site.

Commissioner Fleishhacker remarked that R-4-C zoning might be appropriate for properties fronting on Pacific Avenue; but he felt that such intensive zoning was somewhat inappropriate for properties fronting on small alleys.

Dr. Dennis Wong, the applicant, stated that approximately 300 individuals reside on the subject block; and he noted that only a few people were present in the audience in opposition to his proposal. He emphasized that the proposed building is completely legal under the terms of the City Planning Code. He stated that his family has only two automobiles; and, since those automobiles would be in use a great deal of the time, they would not add significantly to traffic congestion in the neighborhood. He remarked that the existing building is in a run-down condition; and he believed that the new building would enhance the neighborhood. In conclusion, he stated that while he would have been permitted to build a building with a height of 65 feet, the building which was being proposed would have a height of only 39 feet.

Jacqueline Idiart, 3 McCormick Place, read the following prepared statement:

"I am very attached both to my home and the neighborhood. I do not wish to live elsewhere so I feel very strongly about preserving the charm and quiet which we have enjoyed in an otherwise overcrowded neighborhood. My latest letter to Mrs. Porter dated Nov. 4th with again signatures from the residents of McCormick Street presents additional substantive arguments based on having reviewed the plan itself.

"The question here, we feel is is this site suitable for the proposed structure and what impact will this proposed structure have on the surrounding area--immediately and from a long range point of view. The proposed four story structure is completely out of character with the other low single-story dwellings located at the end of McCormick. The proposed structure would be twice the height of the tallest building presently occupying the east side of the street. The encroachment of such a massive structure, which in addition partly overhangs the property line by two feet, would obstruct light, intensify noise levels and also block views presently enjoyed by surrounding residents on Jackson and Hyde Streets.

"Equally serious is the ever growing density and automobile problem in the neighborhood. The road-bed of McCormick is 12' wide and does not permit U-turns or passing. 90 degree turns into off-street parking spaces are severely restricted. Congestion is further aggravated because this street is used as the only access to a 6 car parking area of an apartment fronting Jackson. To add a multi-unit dwelling located on the far end of the street would require further vehicle waiting and maneuvering on a street that has already reached the limits of its carrying capacity. And an even more serious objection is that the proposed plan does not meet legal off-street parking requirements for two stalls according to the Traffic Engineering Division of the Department of Public Works.

"The width of the road-bed of McCormick plus the sidewalk plus a 2-foot setback is 18'. A standard car requires a 24' aisle to make a 90 degree turn. The innumberable parking maneuvers which would be required to gain access to the proposed garage are specifically prohibited by the City's parking standards. The City requires that for a total of two spaces, one space must be entered with one maneuver and the second space must be entered with no more than 2 maneuvers. The noise levels and exhaust fumes resulting from innumberable parking maneuvers would adversely affect houses on McCormick Street because of its extremely narrow width. Therefore this provision of the City's parking requirements should be strictly enforced. A duplex with insufficient off-street parking for the tenants would certainly be undesirable. The proposed structure would seriously increase the density of the street and with it attract even more visitors and automobiles than we now have.

"I am sure that the Planning Commission recognizes that property is often sold -- people die, children grow up and needs change -- so that immediate occupants are not an adequate basis for evaluating the proposed development. Rather, the suitability of the structure for the site and its immediate and long range impact on the area should be considered.

"There has been a prevailing tendency in the neighborhood of illegally subdividing dwellings into higher density occupancy, thus creating overcrowding and substandard living conditions. The proposed plan would be susceptible to such a conversion. Should the present owner ever sell his home, what would prevent the next owner from converting the top floor and the area behind the garage into 2 additional units? The structure would then house 4 units with one legal off-street parking space.

"Approving the proposed plan would open the way for the other single family dwellings to be replaced in the not two distant future with similar large structures which would further intensify overcrowding and undesirable neighborhood conditions.

"We on McCormick Street feel that the City has an obligation to protect the livability of our neighborhood, and we trust that you will consider all these factors in making your decision.

"For these reasons we respectfully request the Planning Commission to deny the application for a multi-unit dwelling on this site."

Jack Wilson, 4 McCormick Street, stated that the building on his property is a refugee cottage, which was built from an old ferry boat, to house people after the earthquake and fire; and he indicated that the proposed structure would cast his property in shadows. He remarked that most of the houses on McCormick Street were built without garages; and, as a result, parking has always been a problem. In the case of an emergency, he felt that it would be difficult to get fire equipment onto the street. Although he was particularly concerned about the proposed building's interference with the light available to his property, he felt that the building would destroy the aesthetic character of the alley.

Gertrude Edwards, owner of #1 McCormick Street, stated that she concurred with the remarks which had been made by other residents of the neighborhood. She indicated that the proposed building would block light and air from her property; and she was concerned about the additional parking and traffic congestion which the building would generate, particularly insofar as additional congestion would impede the movement of fire equipment on the street.

Jason Yuen, architect for Dr. Wong, stated that retaining walls exist on the south and east sides of the subject property; and adjacent properties slope upward from those walls. Therefore, the actual heights of buildings to the south and east is greater than the height of the proposed building. While Ms. Idiart had suggested the possibility that the proposed building might be illegally converted to four dwelling units in the future, he regarded such a conversion as an impossibility since the building would not have sufficient off-street parking spaces to meet the City Planning Code requirement for a four unit building. He acknowledged that automobiles do park on the sidewalk in the alley; however, since the proposed building would have off-street parking spaces, it would actually eliminate some of the congestion on the alley. In conclusion, he emphasized that he regarded the proposed building as a transitional building between the four- and five-story buildings to the south and east and the one- and two-story buildings to the north; and, in any case, he noted that properties in the area are legally permitted to reach heights of 65 feet and 85 feet.

Joyce Farnsworth, representing Russian Hill Affiliates, stated that her organization would not be opposed to construction of a new building on the subject site if it were built in scale with other buildings in the area and if adequate off-street parking were provided. She also remarked that there is a scarcity of single family dwellings in the City; and, as a result, families are being forced to move to the suburbs.

Commissioner Rueda remarked that the subject block is already developed with many buildings which are taller than the one presently being proposed. Ms. Farnsworth replied that the buildings which are immediately adjacent to the subject property on McCormick Street have a height of only one or two stories.

President Newman asked Ms. Idiart to indicate what type of development she felt would be appropriate on the subject site. Ms. Idiart replied that she felt that the property should be developed with a single-family dwelling having one floor for parking and a second floor of living quarters.

Dean L. Macris, Director of Planning, remarked that McCormick Street is very narrow and provides access to small one-family dwellings located in what would otherwise be the mid-block rear yard open area serving as the open space for small apartment houses around the perimeter of the block. The staff had concluded that any building exceeding two stories in height on the subject property would be out of scale with the existing development and with any appropriate redevelopment of the six lots fronting on McCormick Street; and he felt that a four story structure on the subject site would be overbearing. Therefore, he recommended that the Commission either request the applicant to modify the design of the building or that it disapprove the permit application.

Commissioner Fleishhacker inquired about Ms. Idiart's contention that the Traffic Engineering Bureau of the Department of Public Works had found the parking spaces in the proposed building to be inadequate. Mr. Rieke replied that the City Planning Code states only that off-street parking spaces shall have adequate space for ingress or egress; and the determination of adequacy is made by the Zoning Administrator following consultation with the Traffic Engineering Bureau of the Department of Public Works. In the subject case, the Zoning Administrator had determined that the space for ingress and egress would be adequate.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), acknowledged that several movements would be required to get automobiles into and out of the proposed parking spaces; however, in view of the extremely narrow width of the street, he felt that the situation proposed was reasonable.

Commissioner Porter acknowledged that the proposed building would be out of scale with other buildings on McCormick Street; however, she emphasized that the subject property is zoned R-4-C and not R-1. When people have purchased property zoned for high density multiple residential and commercial use and have expected that it could be developed accordingly, it is difficult to tell them that development must be limited to a single-family house designed in harmony with other buildings on the street.

Commissioner Ritchie moved that the subject permit application be disapproved.

Commissioner Fleishhacker noted that the Director of Planning had suggested that the Commission might encourage the applicant to modify his plans instead of disapproving the permit application.

President Newman asked the applicant if he would be willing to modify his plans.

Commissioner Finn, noting that the applicant's attorney might have gained the impression that Commissioner Ritchie's motion had failed for want of a second, indicated that he would second the motion for the purpose of discussion.

George Hoffman, Attorney for Dr. Wong, stated that his client's response to President Newman's question would depend upon the nature of the modifications which the Department of City Planning had in mind.

The Director stated that the staff had not formulated an alternate design for the building; however, he felt that it would probably be the recommendation of the staff that the building be reduced to two stories in height so that it would conform with the scale of other buildings on the street.

Mr. Hoffman stated that it is necessary for Dr. Wong and his parents to live in the same building; and he felt that a building with a height of only two stories on the subject lot would be too confining. He remarked that the building proposed was not really overly spacious; and he felt that it was an exaggeration to suggest that it would destroy the charm of the alley. Nevertheless, if the Commission were willing to postpone action on the matter, further discussions concerning the design of the building could be held with the staff of the Department of City Planning.

Subsequently, it was moved by Commissioner Fleishhacker and seconded by Commissioner Rueda that this matter be taken under advisement for three weeks.

Commissioner Ritchie remarked that the applicant would be able to appeal to the Board of Permit Appeals if the permit application were disapproved by the Commission; however, if the permit application were approved with modifications, the applicant would have no avenue of appeal.

Mr. Hoffman stated that his client would prefer that the Commission take action on the matter at the present time. Commissioners Fleishhacker and Rueda withdrew their motion and second for postponement.

Commissioner Miller asked Ms. Idiart if she and other residents of the neighborhood would be willing to support reclassification of all of the properties on McCormick Street to R-1 or R-2. Ms. Idiart had replied that she had already discussed the matter with Mr. Steele; and she indicated that there would be neighborhood support for such a "down-zoning".

The Director stated that reclassification of the properties on McCormick Street would be considered during the course of the Residential Zoning Study.

When the question on the main motion was called, the Commission voted unanimously to adopt Resolution No. 7402 and to disapprove the subject permit application.

DR75.13 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 452329 FOR THE CONSTRUCTION OF DECKS AT 64 - 6TH AVENUE.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), remarked that members of the Commission had taken a field trip to the subject property earlier in the afternoon. The applicant proposed to construct first and second story decks. The second story deck would extend to the north property line of the site; and, because it would abut the property line, the Building Code would require that a solid wall be constructed along the property line to a height of 13 or 14 feet above grade. The owners of the property located immediately north of the subject site had requested that the Commission hold a discretionary review of the permit application for the second story deck because it would block light and air from their home. As a result of the field trip to the site, it was obvious that construction of the deck as proposed would create problems for the adjacent property owners; however, the applicant had indicated that he would be willing to entertain the possibility of modifying his plans so that the deck would be located two feet away from the property line. Under those circumstances, there would be no requirement for construction of a solid wall beneath the deck.

Ronald Pengilly, Attorney for Mr. and Mrs. George E. Davidson, owners of property located at 58 - 6th Avenue, stated that he appreciated the applicant's compromise offer; however, the only thing which the Davidsons would gain from the compromise would be a view of the underside of the new deck. The deck itself would still be prominently visible from the windows of their home. It was his opinion that the deck should be constructed elsewhere on the applicant's property so that it would not ruin the livability of his client's home. He remarked that the building owned by the applicant is a non-complying two family dwelling in a single-family district with only one off-street parking space; and, in view of the fact that that building is already non-complying, he felt that any decks which might be constructed should be designed to be compatible with adjacent residences. He asked either that the permit application be disapproved or that it be approved subject to conditions which would satisfy the concerns of his clients.

Commissioner Fleishhacker, noting that a folder which had been given to individual members of the Commission by Mr. Pengilly contained a "line of sight" sketch from the Davidson's house to the proposed deck, remarked that the "line of sight" depicted seemed very arbitrary. Mr. Pengilly replied that he had tried to depict a line of sight from the living quarters of the Davidson's house.

Mr. Davidson stated that the particular line of sight indicated had been selected because it passes through a window on the south side of his house; and it indicated that people on the proposed deck would have a direct view into his house. In addition, the proposed deck would block light and air from his property.

Commissioner Porter remarked that it would probably be impossible to resolve the matter to the satisfaction of both parties involved. However, she noted that when the Commission had taken a field trip to the site, she had asked Mr. Davidson if it would be helpful if the deck could be removed two feet from the property line and had received an affirmative response; and the applicant had indicated that he would be willing to modify his plans to that extent.

Mr. Davidson acknowledged that such a modification would be a step in the right direction; but he felt that it would not substantially alter the situation. Light would still be blocked from his property; and he would have a view of the underside of the deck.

Commissioner Finn remarked that installation of landscaping might help to preserve Mr. Davidson's privacy. Mr. Davidson replied that his kitchen and dining room are on the second floor of his home; and, as a result, substantial landscaping would be required to block the view of the deck from those rooms.

Mr. Walker, the applicant, stated that he had agreed to move the deck two feet from the property line; and, in addition, he would be willing to install landscaping.

Mr. Steele asked if the modifications which had been agreed to by Mr. Walker would be sufficient to satisfy Mr. Davidson. Mr. Davidson replied in the negative.

Mr. Steele then remarked that the Commission had taken a field trip to the site to ascertain the potential impact of the proposed decks; and they had observed that other similar decks already exist in the neighborhood. The applicant had proposed to modify the decks by removing the upper deck two feet south from the lot line in order to eliminate the need for a blind wall, thereby admitting more light and air to the adjacent property at 58 - 6th Avenue. The proposed decks as modified would conform to applicable provisions of the City Planning Code; and it was his opinion that the proposed decks would not create a hardship for the owners of the adjacent property at 58 - 6th Avenue due to the presence of landscaping and the orientation of existing decks in the vicinity. Finally, he believed that an alternative placement of the proposed upper deck would create a hardship for the applicant by casting a shadow over a lower level dwelling space. Therefore, he indicated that it was the recommendation of the Director that the subject building permit application be approved.

Commissioner Ritchie asked if the action recommended by the Director would permit the applicant to construct the upper deck without the two-foot setback. President Newman replied in the affirmative.

Commissioner Ritchie then asked if it would be possible for the applicant to set the upper deck back five feet from the property line. Mr. Walker replied in the negative, indicating that such a reduction would turn the deck into more of a "runway" than an actual deck. Furthermore, the footings for the deck have already been installed.

Mr. Pengilly stated that his client would be willing to pay for construction of new footings.

Commissioner Miller felt that the Commission should approve the upper deck subject to a two-foot setback from the property line since the applicant had agreed to that modification.

Mr. Walker stated that the deck would be constructed with the two-foot setback in any case.

Commissioner Ritchie asked if the compromise solution would be more acceptable to Mr. Davidson than the original proposal. Mr. Pengilly replied that the upper deck would still have an absolutely unobstructed view into his client's property even if it were constructed with a two-foot setback from the property line.

Commissioner Rueda remarked that houses throughout San Francisco are constructed close to each other; and, as a result, lack of privacy is a way of life in the city. His concern was that the proposed deck would block sunshine and air from the adjacent properties; and he felt that the two-foot setback would ameliorate that problem.

Commissioner Ritchie felt that the design of the proposed deck was extremely unattractive; and he indicated that he would vote for disapproval of the permit application.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Finn that the permit application be approved subject to the modification of the application to provide a two-foot setback of the upper deck along the north property line. When the question was called, the Commission voted 5 to 2 to adopt Resolution No. 7403 with the following resolve: "Therefore be it resolved, that the City Planning Commission find that the decks proposed on Lot 28 in Assessor's Block 1353 would be compatible with existing development on neighboring properties, and hereby approve Building Permit Application No. 452329, subject to the modification of said application to show the revised location of the upper deck." Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "Aye"; Commissioners Miller and Ritchie voted "No".

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW, AS A MATTER OF POLICY, FOR ALL APPLICATIONS FOR NEW OR ALTERED BUILDINGS OR OPEN USES ALONG THAT PORTION OF MARKET STREET WEST OF THE CENTRAL FREEWAY OVERPASS WHICH IS ZONED FOR COMMERCIAL USE.
(Continued from meeting of November 6, 1975.)

Dean L. Macris, Director of Planning, stated that the staff had met with neighborhood representatives concerning this issue; and he indicated that additional time was needed before the staff would be prepared to bring the matter before the Commission. He recommended that the matter be continued under advisement for one week. After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that this matter be continued under advisement until the meeting of November 20, 1975.

At 4:40 p.m. the Commission recessed and reconvened in Executive Session.

EXECUTIVE SESSION - CONFERENCE WITH CITY ATTORNEY CONCERNING PENDING LITIGATION.

Robert A. Kenealey, Deputy City Attorney, gave a status report to the Commission on the suit regarding the Environmental Impact Report and Conditional Use for St. Mary's Hospital. He advised that the hospital had filed an appeal from the ruling of the Superior Court finding that both the Environmental Impact Report and the Conditional Use authorization were invalid.

Mr. Kenealey stated that it was the recommendation of his office that the Commission not be a party to the appeal because there appeared to be no substantial public interest requiring that the City pursue this litigation.

At the conclusion of the Executive Session, at 4:48 p.m., the Commission reconvened in open session. It was moved by Commissioner Finn, seconded by Commissioner Fleishhacker and carried 5 to 2 that the Commission not join in the appeal. Commissioners Finn, Fleishhacker, Newman, Ritchie, and Rueda voted "Aye"; Commissioners Miller and Porter voted "No".

The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Special Meeting held on November 19, 1975.

The City Planning Commission met pursuant to notice on Wednesday, November 19, 1975, at 7:30 p.m. in Room 282, City Hall.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Thomas J. Mellon, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and Mortimer Fleishhacker and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by George A. Williams, Assistant Director-Plans and Programs; Linda Ferbert, Planner II; and Lynn E. Pio, Secretary.

Marshall Kilduff represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

CONTINUATION OF PUBLIC HEARING ON PROPOSED REVISIONS TO RESIDENCE ELEMENT OF THE COMPREHENSIVE PLAN.
(Under Advisement from meeting of October 30, 1975.)

Vice President Porter welcomed members of the public who were present in the meeting room and invited them to present their comments to the Commission.

Anthony J. Sousa, representing the Forest Knolls Neighborhood Organization, summarized the following statement which had been submitted to the Department of City Planning on September 30, 1975, by his organization:

"In response to your inquiry soliciting statements from representative neighborhood groups regarding the Residential Zoning Study of the City of San Francisco, the following statement represents the official position of the four hundred households within the Forest Knolls Neighborhood.

"1. Presently, this neighborhood meets the requirements of an R-1-D classification even though it is zoned R-1. From the original subdivision of this neighborhood, although the zoning was R-1, all building conformed to R-1-D specifications

with side yards and minimum lot requirements of 4000 square feet and width of 33 feet. Homeowners bought here valuing open space, detached homes, quiet streets and a purely residential atmosphere, i.e., an atmosphere free of commercial establishments such as stores, service stations and laundries etc. We realize that there is a planned unit development within block 2643A. Residents raised no objections to this development because the terrain involved permitted only this type of building and the entire complex of 45 homes was entirely screened by trees from neighborhood view.

"2. This complex was a special conditional use subject to Planning Commission approval and our neighborhood of 400 households wishes to go on record as being unequivocally against any further such conditional uses subject to special Commission approval. In plain language, to avoid any possible misinterpretation, this neighborhood, known as Forest Knolls, does not want any further conditional uses within our environs. This neighborhood wants any further building to conform to the already established R-1-D character and atmosphere of our homes, i.e., single family dwellings, with side yards, a minimum lot area of 4000 square feet, a minimum lot width of 33 feet, one dwelling unit per lot and the aforementioned side yards to be from 3 to 5 feet.

"3. Should the City Planning Commission decide to retain the present zoning scheme, this neighborhood emphatically wishes an R-1-D rezoning from the present R-1 classification.

"4. Should the City Planning Commission approve a new zoning scheme, this neighborhood wishes to go on record as petitioning under the new scheme for a reclassification of what would be the equivalent of an R-1-D classification under the present system of zoning in the City of San Francisco.

"5. As this neighborhood is a member of the Mt. Sutro Communities Coalition, this statement should be considered as the first of a series of statements constituting the official positions of the member neighborhoods of said Mt. Sutro Communities Coalition."

Commissioner Finn stated that he lives in Midtown Terrace; and he indicated that was in agreement with the concept of preserving the R-1-D character of both Midtown Terrace and Forest Knolls. However, he noted that the Commission had already granted conditional use authorization for a Planned Unit Development along Clarendon Avenue which is as yet uncompleted; and he hoped that the Forest Knolls Neighborhood Organization was not suggesting that that authorization should be revoked.

Kay Field, President of the Forest Knolls Neighborhood Organization, stated that the proposed development on the old golf course property along Clarendon Avenue is a very great concern to members of her organization. The property has been sold several times since the original development was proposed; and it is currently owned by a Florida firm. She was concerned about the possibility that that firm might construct ramshackle homes on the property, taking their profits back to Florida; and residents of the neighborhood would have no means of recourse. Under the circumstances, she felt that all future homes constructed in the area should conform to the existing R-1-D character of the neighborhood.

Commissioner Finn felt that the Planned Unit Development could still be developed under the conditions established by the Commission without damaging Forest Knolls or Midtown Terrace.

Vice President Porter, noting that a second Planned Unit Development had been authorized by the Commission on Clarendon Avenue, asked if conditions in that project are unsatisfactory. Ms. Field replied that the actual development of that project was inferior to the development which had been approved by the Commission; however, in that case, a great effort had been made to screen the project with trees and to replace all trees which had been removed. Therefore, she, personally, had no great objection to that project. She emphasized, however, that residents of that project had joined the Forest Knolls Neighborhood Organization in proposing that the remainder of the land in the neighborhood be developed with R-1-D housing.

Robert Krase, representing the Mission Planning Council, distributed copies of a memorandum entitled "Proposed Revisions to the Residence Element of the Master Plan" to members of the Commission and summarized the memorandum as follows:

> "Let me say first of all that we are very happy to see a strengthened Residential Element, and agree with many of the ideas contained in it. Many of its policies will need implementing programs; we hope that the Commission sees to it that those programs are developed to insure the effectiveness of the entire proposal. Also, we would

prefer to have the language of the plan strengthened. Too often "should" or "may" is used when "shall" or "must" would have been appropriate.

"Objective I, entitled "Preserve, Improve and Maintain the Existing Housing Stock" does not go far enough, because it is not tied to a concrete standard. We suggest that a base-line be established for the City's total pool of housing. Whenever vacancy rates for a particular type of housing (for example moderate income family housing) fall below 5%, no action would be allowed by a public or private developer which would further reduce that type of housing. On the other hand, whenever there is an adequate supply of the type of housing in question, that is, if it is above 5%, the developer would be unaffected by the base line.

"I must stress that this is not any kind of a freeze. As long as the vacancy rates remain high enough, the base line would not be a limiting factor. Because San Francisco has limited space, often housing must come down before new housing goes up. A base-line approach could be made flexible by allowing the destruction of a housing type that is below the base-line whenever replacement housing plans are so perfected as to insure no delays. Too often the demolition of needed housing has resulted only in empty lots.

"Next, the Mission Planning Council is concerned with increasing individual home ownership; we support the policy that encourage tenant ownership (Objective IV, Policy 3). We also agree that for housing in non-residential areas there is often a lack of owner responsibility; we support policy of encouraging owner responsibility for that type of property (Objective I,Policy 5).

"We further suggest that the City use its power of eminent domain to deal with recalcitrant owners and landlords who refuse to bring their property up to code. (Obejctive I, Policy 4).

"We are also very much concerned with red-lining (Objective IV, Policy 2) because it discourages individual ownership and housing rehabilitation. We suggest that the City use its financial muscle as well as persuasion to end that practice. We also suggest that the City assure the availability of funds for housing rehabilitation to owners too poor to qualify for loans even without red-lining. (Objective I, Policies 1 & 3).

"Finally, in pursuing the goal of rehabilitation we hope that code-enforcement will be carried out in a flexible manner so as to encourage rather than hinder action. (Objective II, Policy 5; Objective IV, Policy 5).

"Next, we are concerned with the existence of incompatible non-residential uses in residential area. We hope the City takes vigorous action in dealing with the twin goals of retaining viable businesses within the City while relocating non-residential uses that are disruptive to residential neighborhoods.

"Next, under Objective III, we believe that a neighborhood's livability is in part determined by its municipal services and capital improvements. We suggest strong action in improving City services in residential areas.

"In conclusion, I wish to note several short items of concern.

"A) Under Objective I, Policy 6 we feel that the concept of 'architecturally significant' should be expanded to include all styles of merit.

"B) Under Objective, Policy 7, we believe that there should be some type of City control over the demolition of viable residential housing.

"C) Under Objective IV, Policy 6, we support the search for alternatives to the residential property tax, but only if it does not result in regressive taxation. We have also suggested an abandoned building tax which would raise revenue while encouraging owners to bring structures back into active use.

"D) Under Objective VI, we felt that because it did not include all means for 'mitigating hardship' it results in possible implications by silence. We suggest that this objective be expanded, or else integrated into the earlier text."

Toby Levine, President of the Mission Planning Council, remarked that the Commission is constantly being requested to grant authorization for non-residential uses in residential areas; and she stated that the members of her organization hoped that the Commission would take a harder line on such requests in the future. After Vice President Porter had asked if the members of the Mission Planning Council object to corner grocery stores, Ms. Levine replied in the

negative and indicated that they were more concerned about such uses as parking lots in residential districts.

Robert M. Tibbets, President of the Telegraph Hill Dwellers, stated that he hoped that the Commission would consider Telegraph Hill as a neighborhood entirely separate from Chinatown which is an extremely high density area with many commercial uses. He then summarized a letter which he had previously sent to members of the Commission which read as follows:

"The Telegraph Hill Dwellers, one of San Francisco's oldest and largest neighborhood organizations, generally supports and agrees with the above mentioned report. However, we feel that the following comments and suggestions should be taken into consideration.

"It is our belief that the report should be expanded to include the additions below:

"OBJECTIVE III (p. 12)

"(Add) Policy 4: Preserve and expand Public Open Space such as Parks and Playgrounds and protect them from traffic encroachment.

"(Add)
"OBJECTIVE III A (p. 12)

"Where substantial commercially zoned areas border on predominantly residential areas, the following factors must be effectively controlled in such a manner that they do not adversely affect the residential environment; density, uses, height and bulk and traffic.

"We also prefer that Objective I, Policies 2 and 4 be considered inappropriate on Telegraph Hill because of the existing quality of the neighborhood. Furthermore, we find that Objective I, Policy 3 and Objective II, Policies 2 and 3 require further clarification.

"Roger Boyer, our Zoning Committee Chairman and other members of the Telegraph Hill Dwellers would appreciate the opportunity to meet with the Planning Department Staff for further discussions of these policies."

Ms. Levine asked what role was envisioned for the Redevelopment Agency under Objective 1, Policy 2, which called for the adoption of a neighborhood maintenance approach in the redevelopment program.

George A. Williams, Assistant Director-Plans and Programs, replied that the approach being contemplated was presently being worked out in the McKinnon Street area where the powers of the Redevelopment Agency will be used to some degree in a neighborhood maintenance effort. As an example, it might be possible to use the Redevelopment Agency's power of eminent domain to eliminate a particularly bad structure or to provide open space or vacant land which could be used for community facilities; however, it was intended that such power should be used very selectively.

Neil Burke, a real estate broker and an active participant in activities of the Friends of Noe Valley, remarked that most new residential construction activity has taken place in R-3 and higher density zoning districts. In those zones, the emphasis is on tenant occupancy; and, as a result, the city's percentage of owner-occupants has been decreasing. Furthermore, apartment buildings create a transit situation; and such areas of the city have high burglary rates and other problems. He felt that many tenants would be willing to buy housing if it were available in decent neighborhoods at reasonable prices; and he believed that the policies of the Residence Element of the Master Plan should encourage condominium ownership, possibly by establishing an outright moratorium on the construction of new rental units.

Mr. Williams remarked that there is a shortage of all types of housing in the City; and he felt that the City should continue to provide housing for people who prefer to be tenants. However, the staff of the Department of City Planning did agree with Mr. Burke that everything reasonable should be done to promote home ownership.

Commissioner Mellon observed that the City Planning Commission had made every effort to encourage home ownership. However, many people, such as those who live in Park Merced, really do not wish to own homes or condominium apartments; and he felt that those people cannot be ignored.

Ms. Levine stated that the Mission Planning Council had looked into the process involved in providing moderate income condominium units and had found that legal costs would range between $5,000 and $10,000 per unit. Under the circumstances, she felt that legal assistance would have to be made available in order to bring down the cost of such housing.

Commissioner Mellon agreed that economic circumstances have tended to cancel efforts which had been made to provide low-and moderate-income housing in the City.

Commissioner Ritchie remarked that there has been a trend towards conversion of older apartment buildings to condominium units in San Francisco in recent years; and, in many cases, only slightly more than one-half of the units in such buildings have been sold while the rest have remained rented. His own opinion was that buildings which have been constructed for rental should remain in the rental market since they were not designed for separate ownership. Furthermore, he believed that considerably more R-1 and R-1-D construction should be encouraged in the City in order to stop or slow down the exodus of families with children.

Vice President Porter remarked that a large percentage of property in San Francisco is zoned R-1. Yet, while she, would favor the construction of more single family housing, she felt that it should be recognized that the construction of such housing is very difficult under present financial circumstances.

No one else was present in the audience who wished to be heard on this matter.

Vice President Porter announced that the hearing would be continued until the Commission's meeting on December 11, 1975.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 20, 1975.

The City Planning Commission met pursuant to notice on Thursday, November 20, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Selina Bendix, Environmental Review Officer; Carl Ness, Planner III; Marie Zeller, Planner III; Audrey Owen, Administrative Assistant to the Director; Ralph Gigliello, Planner II; John Mackie, Planner II; Russell Watson, Planner II; Mark Winogrond, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Marshall Kilduff represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

EXECUTIVE SESSION

Prior to the public meeting, the Commission met in Executive Session at 12:30 p.m. at which time Dean L. Macris, Director of Planning, tendered his resignation to be effective on January 1, 1976. It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the resignation be accepted with regret.

1:15 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:15 p.m. to take a field trip to properties to be considered during the zoning hearing to be held on December 4, 1975.

2:15 P.M. - 100 Larkin Street

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that the City Planning Commission will meet jointly with the Recreation and Park Commission on December 16 at 2:30 p.m. to receive and consider the report of the General Manager of the Recreation and Park Department concerning the Open Space Acquisition and Park Renovation Fund.

The Director advised the Commission that another special hearing will be held on December 9 at which time the Commission will consider the Department of City Planning's budget and work program for the next fiscal year, as well as other matters.

The Director reported that the Department of City Planning had been named as a defendant in a suit brought by the Neighborhood Legal Assistance Foundation on behalf of residents of the South Bayshore area, challenging the validity of the Environmental Impact Report for the Southeast Sewage Disposal Plant.

EE-EF75.318 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT AND STATEMENT ON THE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR $28.8 MILLION. (Under Advisement from Meeting of November 6, 1975.)

Dean L. Macris, Director of Planning, stated that the Budget and Governmental Efficiency Committee of the Board of Supervisors had not yet completed its hearings on this matter; and, as a result, further consideration by the Commission would have to be deferred until December 4.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that this matter be continued under advisement until the Commission's meeting on December 4, 1975.

R75.57 - REVIEW OF COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT FOR CONFORMITY WITH THE MASTER PLAN.
(Under Advisement from Meeting of November 6, 1975.)

Dean L. Macris, Director of Planning, explained that discussion of this matter, also, should be deferred until the meeting of December 4 because the Budget and Governmental Efficiency Committee of the Board of Supervisors is still contemplating making changes in the application.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that this matter be continued under advisement until the meeting of December 4, 1975.

R75.55 - ACQUISITION OF PROPERTY AT 934 BRANNAN STREET BY THE ART COMMISSION FOR OFFICE AND STORAGE SPACE.

Ralph Gigliello, Planner II, reported on this matter as follows:

"The proposed action is acquisition by the City and County of a warehouse building for use by the Art Commission. No changes to the existing structure are contemplated. The warehouse would be used for storage of community art program materials, construction and assembly of materials and equipment, and offices for South of Market program development.

"The property is on the north side of Brannan Street, east of Ninth Street, in an M-2 (Heavy Industrial) district. The general area is light industrial in character, with manufacturing and warehousing the predominating uses, as well as some offices, including a television studio. Freeway access ramps are nearby and Ninth Street provides a direct route to the Civic Center.

"The Master Plan contains no policies which pertain to acquisition of such facilities. It is recommended that the Director be authorized to report that the acquisition of the property at 934 Brannan Street for the San Francisco Art Commission South of Market site office and warehouse does not affect the Master Plan."

Commissioner Ritchie asked if the subject building is currently occupied. Mr. Gigliello replied that the building has the name of an iron works firm on the door; but he had seen no sign of activity when he visited the site.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the acquisition of the property at 934 Brannan Street for the San Francisco Art Commission's South of Market site office and warehouse does not affect the Master Plan.

PUBLIC HEARING TO CONSIDER FOR ADOPTION AS ADMINISTRATIVE REGULATIONS PROPOSED MINOR AMENDMENTS TO THE LIST OF CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Alec Bash, City Planning Coordinator, reviewed the technical revisions which were being proposed by the staff to amend the list of categorical exemptions from the California Environmental Quality Act adopted by the City Planning Commission on April 26, 1973, and previously amended on July 25, 1974. He stated that the proposed revisions were intended to make the list consistent with the letter and the intent of the classes of exemptions set forth in the current State Environmental Impact Review Guidelines. The proposed revisions are explained in a memorandum dated October 31, 1975, which is available in the files of the Department of City Planning.

Commissioner Fleishhacker noted that one of the amendments provided that "coastal resources as identified by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan of August, 1971" might be considered as exceptions from the categorical exemptions. He stated that he regarded the coastline as a very narrow zone; and he wondered why the Commission could not define San Francisco's coastline itself instead of relying on an identification made by the State Department of Parks and Recreation.

President Newman remarked that only 12 buildings or areas were included in a list of historic, archaeological and cultural resources in San Francisco which might be regarded as exceptions from the categorical exemptions. He felt that the City must have many more resources of the type mentioned; and he wondered why the list was so short. Mr. Bash replied that the list had been extracted from a document prepared by the State.

Commissioner Rueda stated that he did not understand the proposed exception which read as follows: "Those places within the above areas of statewide interest which are in imminent danger of urban encroachment and which are needed to provide open space near high density urban areas."

Dean L. Macris, Director of Planning, recommended that the Commission might wish to defer action on the amendments for two weeks so that the staff would have an opportunity to review and respond to the questions which had been raised by members of the Commission.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Finn, and carried unanimously that this matter be taken under advisement until the meeting of December 4, 1975.

CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR NORTH SHORE OUTFALL CONSOLIDATIONS, SAN FRANCISCO WASTE-WATER MASTER PLAN IMPLEMENTATION PROGRAM III.
(Under Advisement from Meeting of October 30, 1975.)

Selina Bendix, Environmental Review Officer, requested that this matter be continued under advisement for two weeks since the court reporter's transcript of the hearing of October 30 had not been made available to the staff of the Department of City Planning in sufficient time for adequate review.

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that this matter be continued under advisement until the meeting of December 4, 1975.

AFFIRMATIVE ACTION PLAN FOR 701 COMPREHENSIVE GRANT CONSULTANTS' CONTRACTS (FOR ADOPTION).
(Under Advisement from Meeting of November 13, 1975.)

Dean L. Macris, Director of Planning, stated that two basic questions had been raised by members of the Commission during discussion of this matter on November 13. The first question related to the question of how the staff of the Department of City Planning would determine whether a particular consulting firm could be regarded as a "minority consultant". He stated that the staff would use a list of minority consultant firms provided by the local HUD office; however, he indicated that he did not know how that list had been compiled. The second question raised by members of the Commission related to how the staff of the Department of City Planning, in meeting the proposed requirement that a description of the proposed work program be advertised in at least one minority paper, would decide which of the many minority newspapers in San Francisco would be used. That issue had been discussed with the staff of the Mayor's Office of Community Development; and it had been decided that the proviso for advertising in a minority newspaper would be dropped. Instead, the staff would inform all firms listed on HUD's list of minority consultants inviting them to submit proposals whenever the Department plans to contract for consultant work. The proposed Affirmative Action Plan had been changed accordingly.

Commissioner Ritchie stated that he would still like to know how HUD determines whether a particular consultant firm should be included on its list of "minority" firms.

President Newman remarked that many firms which might not be considered to be minority firms do have affirmative action programs; and he felt that it was important that they should not be discriminated against.

The Director stated that the purpose of the Affirmative Action Plan was not to exclude such firms but rather to assure that minority firms would have a more competitive chance to negotiate against established firms. President Newman noted that Step 3 of the Affirmative Action Plan proposed that copies of the Department of City Planning's Request for Proposals would be sent to local minority firms which appear on a list supplied by the local HUD area office and expanded, where necessary, by minority firms known to the City. He felt that it might be desirable to change that language to provide that copies of the Request for Proposals should be sent to all consultant firms, including minority firms.

Commissioner Fleishhacker felt that the Affirmative Action Plan should be oriented towards helping minority firms to participate in the bidding process and to assure that no minority firms would be excluded from that process.

The Director stated that the HUD area office had found the proposed Affirmative Action Plan to be acceptable; however, in view of the comments which had been made by members of the Commission, he recommended that the document be returned to the staff for further review.

Commissioner Rueda stated that he found the revised plan to be acceptable; and he indicated that he regarded the plan as a tool for helping minority firms to be familiar with the steps which must be followed if they wish to be considered by the Department of City Planning for consultant work. However, he felt that it would be desirable for the Commission to have an opportunity to see a written copy of the HUD regulations requiring adoption of the plan by the Commission.

Commissioner Fleishhacker felt that the staff of the Department of City Planning should also ask HUD if it could make available copies of similar plans which had been adopted by Commissions in other communities.

Commissioner Ritchie again asked the staff to try to obtain a definition of a "minority firm" from the HUD area office.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Finn, and carried unanimously that this matter be continued under advisement until the meeting of December 4, 1975.

R118.75.20 - PUBLIC HEARING FOR CONDOMINIUM SUBDIVISION AT 1770 PACIFIC AVENUE FOR CONVERSION TO 16 UNITS. (Under Advisement from Meeting of November 13, 1975.)

Dean L. Macris, Director of Planning, noted that this matter had been discussed during the Commission's meeting on November 13. At that time, the Commission had raised several questions regarding its responsibilities under the new Subdivision Code. John Mackie, Planner II with the Department of City Planning, had worked with Judith Teichman of the City Attorney's office to review the questions which had been raised by members of the Commission.

John Mackie, Planner II, distributed and summarized copies of a memorandum which he had prepared on this matter. After discussing the enactment of the Subdivision Ordinance, the memorandum continued, as follows:

"Role of the City Planning Commission

"Section 66473.5 of the Subdivision Map Act states that a locality shall not approve a map unless it is consistent with the general plan. While the Director of Public Works is designated as the Advisory Agency, nevertheless the Charter places in the City Planning Commission the responsibilities for determining conformity with the Master Plan. Thus, while the Department of City Planning is only one of several agencies consulted by the Department of Public Works in its review of a proposed subdivision, the City Planning Commission has authority to prevent approval by the Director of Public Works of any project, but its finding that the project is not in conformity with the Master Plan. It follows that the City Planning Commission may also indicate conditions under which any proposed project would be in conformity.

"In order to determine whether it is the City Planning Commission that must evaluate a project under any particular requirement of the Code, it is important to consider whether failure to meet that requirement would make the project inconsistent with the Master Plan and whether any other City agency or department is in a better position to make a determination under the specific Code requirement.

"Questions Raised by Commissioners

"1. What Master Plan policies are affected by conversions?

The objectives and policies of the Residence Element are of over-all importance in the consideration of condominium conversions. In addition, each project must be evaluated for its individual consistency with the Master Plan apart from its identity as a conversion.

The objectives and policies of the Residence Element are broad yet a locality is permitted, and may be compelled by State Law, to specify to the extent possible the conditions under which a conversion would be consistent with the Master Plan. This is affirmed by the Attorney General's Opinion No. CV 74/133. The requirements of the present Subdivision Code indicate those conditions.

"2. When were the specific references to the City Planning Commission placed in the Subdivision Code?

When the City Planning Commission was asked to endorse the draft Subdivision Code the only reference to the Commission was in Sections 1313 and 1332. Those sections require a public hearing for all subdivisions of five or more units and recognize the provision of the Charter which grants the Commission the authority to determine Master Plan consistency.

The Board of Supervisors added four other substantive references to the City Planning Commission.

Sec. 1312 requires a finding of consistency with the Master Plan in the case of any exception to be granted from the requirements of the Code.

Sec. 1341 requires that in projects of 50 or more units the City Planning Commission must determine the availability of government subsidies.

Subsection 1385(b) requires the City Planning Commission to determine whether the units to be converted are a part of the City's low- or moderate-income housing stocks and, if so, to determine whether the conversion would effectively remove the units from those stocks.

Subsection 1385(c) requires disapproval by the Director of Public Works of a Tentative Map if the City Planning Commission determines that vacancies in the project were increased for the purpose of preparing the project for conversion.

"3. Are older buildings inappropriate for conversion?

There is a potential for unseen deterioration in older structures. Some of them do not have the amenities of new buildings. Many older buildings, however, are in excellent condition. There appears to be insufficient evidence that the differences between new and old buildings are so great as to warrant a prohibition on the conversion of all older structures. In addition the older buildings, upon conversion, often offer advantages such as greater space, more diversified design, and lower cost.

This is not to say that each building should not be scrutinized carefully nor that prospective purchasers should not be made fully aware of the potential problems with the building. For that reason, the Code requires buildings to conform to the standards of the San Francisco Housing Code, and specifies a Building Inspector's Report that becomes part of the public record established by a conversion application.

In addition, the California Department of Real Estate has assumed primary responsibility in the field of consumer protection. Every conversion requires the approval of that Department. Its approval process involves an evaluation of building condition and the proposed maintenance budget. Consumer awareness of this information could be broadened, and the Department of City Planning staff has supported efforts at the State level to provide prospective purchasers with a clear, concise, and accurate statement of building condition.

"4. In what respects are the provisions of the Subdivision Code confined to projects of 50 or more units?

Consistent with the Subdivision Map Act, the San Francisco Subdivision Code must deal comprehensively with projects of 5 or more units; it also makes some reference to projects of fewer than 5 units. However, there are two requirements which apply only to projects of 50 or more units.

Sec. 1341 requires a subdivider of projects containing 50 or more units to make available 10 percent of the units for low- or moderate-income occupancy if government subsidies are available.

Subsection 1385(h) requires approval by at least 35 percent of the tenants of projects of 50 or more units before conversion is allowed.

"5. What are the provisions referring to low- or moderate-income housing or occupants?

Subsections 1309(e) and (f) define the terms 'low income' and 'moderate income'.

Sec. 1341 requires that units be made available for low- or moderate-income occupancy, as noted above.

Subsection 1385(b) requires a determination as to whether the units are a part of the City's low- or moderate-income housing stocks, also as noted above.

Subsection 1385(g) provides relocation services to families of low or moderate income.

"6. Are the rental rates or sales prices cited by the applicant the maximum that can be charged?

The evaluation of rental and sales prices is essential under the law to evaluation of a project. A change in sales prices to take the housing out of the low- or moderate-income range would be similar to a change in density

after a Planned Unit Development had been approved. There may be circumstances when some increase is justified and does not subvert the intent of the law. These would have to be judged on a case-by-case basis. However, to establish specific maximums for each case would simply encourage increases to those levels.

"7. Has the Commission previously approved moderate-income units which were later sold at a higher price?

1770 Pacific is the first instance under the Subdivision Code in which the Commission has been asked to declare units to be a part of the City's moderate-income housing stock.

"8. How will these provisions as to price be enforced?

The approval of a subdivision is a two-step process. A Tentative Map and a Final Map are required. If the Commission determines consistency with the Master Plan with conditions, those conditions become the basis for the Director of Public Works to 'conditionally approve' the Tentative Map. The Director of Public Works then must disapprove the Final Map if those conditions could have but have not been met in the filing of the Final Map. Some conditions may have to be met after the final approval, and in such a case those conditions are to be entered on the Final Map.

Sec. 1304 imposes civil or criminal penalties for the violation of the Code or any condition imposed pursuant to it. The Director of Public Works may serve a Cease and Desist Order upon violators or call upon the District Attorney or City Attorney for enforcement action.

"9. Does the Subdivision Code regulate resale?

The Subdivision Map Act is concerned with development maps (plans); it regulates the act of subdividing. While certain measures can be taken to guard against later problems, the presence of other State laws regulating

transfer would indicate that the use of the Subdivision Map Act by localities to regulate future use or sale of property is inappropriate.

There is a move under way in Sacramento, however, to clarify and strengthen resale protections."

Commissioner Fleishhacker remarked that the memorandum which had been prepared by Mr. Mackie stated that Subsection 1385(b) "requires the City Planning Commission to determine whether the units to be converted are a part of the City's low- or moderate-income housing stocks, and, if so, to determine whether the conversion would effectively remove the units from those stock". He asked if that finding was the only action required by the Commission. Mr. Mackie replied that it was his opinion that the Commision would also have to find that a conversion was not in conformity with the Master Plan if it appeared that it would remove units from the City's low- or moderate-income housing stocks.

Commissioner Ritchie emphasized that the City does not yet have rent control; and, even if the prices proposed for condominium units should effectively result in the removal of those units from the City's low- and moderate-income housing stock, he did not feel that it would be proper for the Commission to tell a property owner what prices he can charge. Furthermore, it appeared to him that an owner could also raise the rent prior to filing for condominium conversion and effectively remove his units from the City's low- or moderate-income stock before coming to the Commission.

Mr. Mackie stated that the Subdivision Code specifies that a condominium conversion may be disapproved if rents had previously been raised by the owner for the purpose of vacating units in his building.

Commissioner Ritchie stated that he was particularly concerned about the condominium conversion of older buildings which were designed for rental purposes; and he remarked that there had been numerous cases in which only slightly more than half of the units in such buildings have been sold as condominiums and the rest of the units have remained on the rental market. He felt that such circumstances were most unfortunate.

The Director distributed and recommended adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the units to be converted are determined to be part of the moderate income housing stock of the City, and the purchase prices as proposed are not such as would effectively remove them from such moderate income housing stock;

"AND BE IT FURTHER RESOLVED, That the City Planning Commission does hereby find that the condominium subdivision of 1770 Pacific Avenue, Lot 9 in Assessor's Block 575, as set forth in a tentative map submitted with the referral, is consistent with the Master Plan; provided, however, that the following conditions are complied with;

"1. The price of the units upon conversion shall not exceed a range of $47,500 to $54,000, so as not to remove them effectively from the City's moderate income housing stock, as required by Section 1385(b) of the Subdivision Code.

"2. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.

"3. The present tenant or tenants of any unit to be converted shall be given a nontransferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.

"4. The Subdivider shall comply with any applicable temporary, permanent, and low and moderate income relocation requirements of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code."

Commissioner Rueda asked if it were possible that maintenance costs, when added to the cost of the individual units, might effectively remove the units from the City's moderate-income housing stock. The Director replied that maintenance costs had been considered in the formula used by the staff in determining that the units would not effectively be removed from the City's moderate-income housing stock; and he indicated that that formula had been presented and explained during the Commission's meeting on November 13.

Commissioner Ritchie congratulated Mr. Mackie on the thoroughness of the memorandum which he had prepared.

Commissioner Mellon stated that the memorandum had satisfied his concerns about the Commission's responsibility; however, he wondered why the proposed sale prices of the units had been increased $5,000 per unit by the owner.

Robert Mills, Attorney for the applicant, replied that the sales prices had been raised because of tax increases and because of the prospect that a considerable period of time might elapse before all of the units are sold. The possibility of future inflation had also been considered.

Commissioner Rueda asked if he were correct in understanding that the dwelling units in the subject building would have to been found in conformity with the Housing Code before they could be sold as condominium units. Mr. Mackie replied in the affirmative.

Sarah McShea, a tenant in the building, advised the Commission that most of the tenants whom she knows in the building are in favor of the proposed conversion; and she felt that many of them, including herself, would consider buying their units if they are offered at a reasonable price.

Commissioner Rueda asked whether Ms. McShea or other tenants of the building might have reservations about buying units in a building which is 73 years old. Ms. McShea replied that the age of the building is one of its attractions.

E. C. Townsend, owner of a condominium unit in the subject neighborhood, stated that he was in favor of the proposed condominium conversion. If the Commission should deny the request, the owner of the building would be forced to improve the building himself; and any improvements which he might make would be likely to result in removal of the dwelling units from the City's moderate cost housing stock. Furthermore, he felt that people should have a right to buy condominium units if they so desire.

Mr. Mills noted that some concern had been expressed by members of the Commission during the meeting of November 13 relative to the possibility that people buying condominium units in an older building might be unaware of the actual condition of the building. However, he assured the Commission that condominium transactions are closely regulated; and he indicated that the California Department of Real Estate prepares an evaluation of the condition of buildings to be sold on a condominium bases and requires that copies of the report be given to prospective purchasers. Furthermore, he emphasized that people do wish to buy units in the subject building. He stated that the owner of the building would retain ownership of four of the units; and he intended to purchase two of the units himself. Under the circumstances, dislocation of present tenants would be minimal.

Commissioner Finn remarked that some of the units in the building might be resold in the future; and the prices commanded at that time might effectively remove the units from the City's moderate-income housing stock. He asked what the responsibility of the Commission would be under such circumstances. Mr. Mackie replied that the Condominium Subdivision Ordinance does not have any provision relating to the resale of condominium units.

Commissioner Ritchie then noted that Mr. Mills had stated that at least six of the units in the building would be retained as rental units; however, if the rents charged for those units were to be increased, they would be removed from the moderate-income housing stock. He asked if it was likely that the rents for those units would be raised. Mr. Mills replied that the owner of the building intends to retain four units so that they can continue to be occupied by their present residents who are older people; and he believed that it was the owner's intention to keep the rents for those units low.

Commissioner Ritchie then observed that it would be difficult for anyone purchasing the units at the prices proposed to continue to rent them at their present rates without losing money. Mr. Mills replied that he felt that the units are worth more than the rental prices which are presently being charged; and, if the building were to be renovated, he acknowledged that the rental price of the units would probably have to be raised, thus removing them from the moderate-income housing stock.

Commissioner Fleishhacker stated that he would support the Director's recommendation although it seemed to him that it was somewhat questionable whether the dwelling units in the building are part of the City's moderate-income housing stock or not.

President Newman remarked that condominium units are increasingly being bought and held for speculative purposes; and he indicated that he would not wish to foster that trend.

Commissioner Ritchie stated that he would vote against the Director's recommendation. He doubted the wisdom of converting older buildings which were designed for rental purposes to condominiums. Furthermore, he could not accept the principle of requiring sellers of units to operate on a fixed price range since he felt that such a requirement would compromise the right of individual property owners to ask, or seek, whatever price they want for their properties. In the present case, for instance, the Commission had no possible way of foreseeing how much time would be required for the applicant's sales program; and, if the units sell slower than anticipated, the delay might affect the price which would have to be

asked for the remaining units. He was also of the opinion that it would be far better for San Francisco's future housing supply to keep units such as those in the proposed building on the rental market rather than having them under individual, condominium ownership.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the applicant. Mr. Mills replied in the affirmative. He further stated that both he and the owner of the building would be willing to forego their plan to hold units for themselves if that plan would in anyway affect approval of the application.

After further discussion it was moved by Commissioner Mellon and seconded by Commissioner Porter that the draft resolution be adopted.

Commissioner Rueda stated that he would vote in support of the motion since he felt that it is desirable for people to own their apartments rather than to rent them.

Commissioner Fleishhacker remarked that the Subdivision Code provides that present occupants of the units must be given the right of first refusal when the units are offered for sale; and, as a result, if all of the present occupants of the subject building wish to purchase the units in which they live, the owner of the building and Mr. Mills would not be able to hold six of the units for rental purposes. Mr. Mills stated that he was aware of that fact.

Commissioner Porter remarked that the owner of the building had intended to retain a few of the units so that long term tenants who could not afford the purchase price would not be dislocated; and she felt that the owner should have a right to withhold some of the units if he so desired.

When the question was called, the Commission voted six to one to adopt the draft resolution as City Planning Commission Resolution No. 7404 and to find the proposed condominium subdivision in conformity with the Master Plan subject to the conditions contained in the draft resolution. Commissioners Finn, Fleishhacker, Mellon, Newman, Porter, and Rueda voted "Aye"; Commissioner Ritchie voted "No".

At this point in the proceedings, Commissioner Mellon absented himself from the meeting room for the remainder of the meeting.

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW, AS A MATTER OF POLICY, FOR ALL APPLICATIONS FOR NEW OR ALTERED BUILDINGS OR OPEN USES ALONG THAT PORTION OF MARKET STREET WEST OF THE CENTRAL FREEWAY OVERPASS WHICH IS ZONED FOR COMMERCIAL USE.
(Under Advisement from Meeting of November 13, 1975)

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), remarked that Market Street is designated as a transit preferential street by the Comprehensive Plan of San Francisco; and, therefore, the relationship between the transit function and other traffic needs on the street is a major concern. Public improvements for Market Street have been carried on over a period of time in connection with the installation of rapid transit beneath the street; however, no design plan had been prepared for nearby properties. The public commitment to and investment in improvements on Market Street is encouraging construction of new buildings and renovation of existing buildings along the street; and he believed that it is essential to assure careful planning and proper design relationships between the public improvements and private property development. The Commission had previously adopted a resolution establishing a policy of reviewing under its discretionary powers all applications for new and enlarged buildings along Market Street from the Central Freeway Overpass to San Francisco Bay to assure a proper relationship between public improvements and private property development; and considerable community concern had been expressed to the effect that a similar policy should be established for properties along Market Street from the Central Freeway Overpass to Diamond Street. In response to that concern, the staff had prepared a draft resolution for consideration by the Commission which contained the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission finds that the public necessity, convenience and general welfare require, and the Commission does hereby establish, a policy of reviewing under its discretionary powers all building permit applications filed for properties within 150 feet of Market Street from the Central Freeway to Diamond Street that would result in any of the following:

- automobile service stations, fast-food facilities, drive-in banks, or businesses that would serve customers waiting in parked motor vehicles

- dropped curbs along Market Street

- inadequately screened open off-street parking

- significant loss of neighborhood serving retail and personal service businesses
- demolition of existing dwelling units and
- buildings or uses designed in such a manner as to provide inadequate definition of Market Street by building facades.

Commissioner Fleishhacker felt that some of the terms used in the draft resolution should have been more clearly defined. For instance, he asked if a donut shop could be considered to be a "fast food facility."

Mr. Steele replied that the staff had previously prepared guidelines for fast food facilities; and those guidelines had defined a "fast food facility" as one in which the food is already cooked, wrapped, and ready to take out.

Commissioner Fleishhacker then observed that many small cafes and cafeterias might fall into that category. He also remarked that almost any business might fall into the category of "businesses that would serve customers waiting in parked motor vehicles."

Dean L. Macris, Director of Planning, remarked that lengthy definitions could probably be prepared for the terms used in the draft resolution; but he felt that the resolution, as worded, would be sufficient to provide guidelines to the staff for making a determination as to whether a particular permit application should be brought before the Commission for review.

Mr. Steele suggested that alternate language might be devised to provide that the staff should review all permit applications for new construction on the subject portion of Market Street and bring to the Commission those which might have a detrimental effect.

Commissioner Rueda suggested that another alternate approach would be to specify that all permit applications for new construction on the subject portion of Market Street should be brought before the Commission for discretionary review except for those which the staff felt would cause no problems.

Jude Laspa, representing the Mayor's Advisory Committee on Upper Market Street and the Eureka Valley Promotion Association, felt that the best approach would be to specify precisely which type of uses would have to come before the Commission for discretionary review. He believed that that approach would be more fair both to developers and to people who live in the area.

Charles E. Thompson asked if uses such as S & C Ford would be brought before the Commission for review in the future. Commissioner Fleishhacker replied that no uses which are presently in existence would come before the Commission for review; however, if an operation similar to S & C Ford should be proposed in the future, it would probably be brought before the Commission.

Mr. Steele recommended that the following resolve be substituted for the one in the draft resolution: "Therefore be it resolved, that the City Planning Commission finds that the public necessity, convenience and general welfare require that the Commission establish a policy of reviewing under its discretionary powers all applications for new and enlarged buildings and open land uses along Market Street from the Central Freeway Overpass to Diamond Street unless the Commission's staff advises that no adverse effect would result from completion of the proposed project."

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution, as modified, be adopted as City Planning Commission Resolution No. 7405.

At 4:25 p. m. President Newman announced a 15 minute recess. The Commission reconvened at 4:40 p.m. and proceeded with hearing of the remainder of the agenda. Commissioner Ritchie was absent from the meeting room for the remainder of the meeting.

PRESENTATION OF OUTLINE OF DISTRICTS AND STANDARDS FOR THE RESIDENTIAL ZONING STUDY.

Dean L. Macris, Director of Planning, introduced this matter as follows:

"The Residential Zoning Study has reached the stage of outlining for public review the types of districts and standards found by the staff to be most appropriate for the residential areas of San Francisco, and a report has been prepared for this purpose. Although the guidelines outlined in the report remain tentative, they clearly indicate the direction the staff is proceeding.

"After presentation to the Commission, this report will be widely distributed to neighborhood groups and other interests. Public comments will be welcomed, and such comments will continue to help direct the study.

"From now until May, staff will concentrate on refining and testing the regulations suggested in this report, subject to any modifications that seem advisable during the drafting process.

"In May the staff is scheduled to present to the Commission detailed maps and written regulations that will constitute the precise proposals for zoning changes".

Robert Passmore, Planner V (Zoning), presented and summarized the report and responded to questions raised by members of the Commission. The report is available in the files of the Department of City Planning.

Terry Covert, representing Nob Hill Neighbors, urged that the Commission give consideration to lowering the height and bulk limits on Nob Hill as the final recommendations of the Residential Zoning Study are being prepared.

Alan Thompson, an architect, hoped that the Commission would stress mixed multi-use of residentially zoned properties in its final recommendations. He stated that he owns a parcel of property which is partially zoned residential and partially zoned commercial; and the only effect of the residential zoning is to diminish the amount of the lot which can be used for commercial purposes.

Mr. Laspa remarked that the Board of Permit Appeals almost always votes against the interest of neighborhoods when acting on appeals from decisions made by the City Planning Commission; and he asked if the City Planning Code could be amended so that appeals from Commission actions could be taken to some other body.

Mr. Passmore replied that changing the appeal procedures would require a Charter amendment.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 4, 1975.

The City Planning Commission met pursuant to notice on Thursday, December 4, 1975, at 1:45 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President, George Carey, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Wayne Rieke, Planner IV (Zoning); Alec Bash, City Planning Coordinator; Wilbert Hardee, Planner III; Audrey Owen, Administrative Assistant to the Director of Planning; Janis Birkeland, Planner III-Urban Design; Robert Feldman, Planner II; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of October 16, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded the Commission of the Special Meeting scheduled for next Tuesday, December 9, at 1:15 p.m. at 100 Larkin Street.

The Director also noted that the Commission will meet jointly with the Recreation and Park Commission on Tuesday, December 16, at 2:30 p.m. in the auditorium of the Veteran's Building to receive and consider the report of the General Manager of the Recreation and Park Department concerning the Open Space Acquisition and Park Renovation Fund.

At this point in the proceedings, Commissioner Rueda entered the meeting room and assumed his seat at the Commission table.

AFFIRMATIVE ACTION PLAN FOR 701 COMPREHENSIVE PLANNING GRANT CONSULTANTS' CONTRACTS (FOR ADOPTION).
(Under Advisement from Meetings of November 13 and 20, 1975.)

George A. Williams, Assistant Director-Plans and Programs, remarked that the Commission had previously questioned the reasons for preparation of the Affirmative Action Plan which was presently under consideration; and, in response, read the following portion of a letter which had been addressed to Mayor Alioto by James H. Price, Area Director of the Department of Housing and Urban Development.

"A major concern of our Department is the participation of minority firms in the 701 program. Your application contains a commitment to employ minority firms whenever feasible. In order to monitor and evaluate the progress being made in this area, the following special condition will be appended to the grant contract:

"'The grantee is to utilize minority firms (firms owned or controlled by a minority or a firm which employs minorities in decision-making positions) to the greatest extent possible. Pursuant to this objective, the grantee must develop an affirmative action plan to obtain minority participation in 701 subcontracts. The plan should include a step-by-step approach covering how proposals are invited, awards are made, and a time schedule for these actions. How the plan improves the existing contracting procedure should be explained. The plan must be submitted to and approved by HUD prior to the release of grant funds for contract services.'"

Mr. Williams stated that the Commission had also asked if copies of similar Affirmative Action Plans which had been adopted by other communities were available; and, while local HUD officials were unable to find the files where those documents are kept because they are in the process of a reorganization, they had indicated that San Francisco's proposed plan was consistent with the plans which had been submitted by other jurisdictions. He stated that the Department's plan had been modified and simplified since the last meeting of the Commission; and he recommended that the modified plan be adopted.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Fleishhacker, noting that the proposed plan specified that Requests for Proposals would be sent to all local minority firms, stated that he felt that the Requests for Proposals should be sent to all consultant firms in the City. Mr. Williams replied that the staff of the Department of City Planning did intend to send the Requests for Proposals to all qualified firms in the City.

Commissioner Rueda asked what criteria would be used by the staff to determine which consultant firms are minority firms. Mr. Williams replied that the staff would use a list which is provided by the area office of Hud; and he expected that most of those firms have minority individuals as partners or on their senior staff.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7406 be adopted and that the Affirmative Action Plan for 701 Comprehensive Planning Grant Consultants' Contracts, as modified, be approved.

EE-EF75.318 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT AND STATEMENT ON THE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR $28.8 MILLION.
(Under Advisement from Meetings of November 6 and 20, 1975.)

James Jaquet, Director of the Mayors Office of Community Development, explained the changes which had been recommended in the Community Development Block Grant Application by the Budget and Governmental Efficiency Committee of the Board of Supervisors. He then responded to questions raised by members of the Commission.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), described changes which had been made in the draft Environmental Impact Report/Statement and distributed copies of two draft resolutions which he recommended that the Commission adopt.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7407 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated December 4, 1975, concerning COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7408 be adopted with the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby recommend that the Draft Environmental Impact Statement, dated November 6, 1975 concerning EE-EF75.318 COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT be found by the Mayor, as the chief executive officer of the City and County of San Francisco authorized to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA), insofar as the provisions of NEPA apply to the HUD responsibilities for environmental review, to be adequately accurate and objective, and that the Mayor CERTIFY THE COMPLETION of said Statement in compliance with the National Environmental Policy Act and the applicable HUD Guidelines."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

R75.57 - REVIEW OF COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT FOR CONFORMITY WITH THE MASTER PLAN.
(Under Advisement from Meetings of November 6 and 20, 1975.)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), noted that a presentation had previously been made to the Commission regarding this matter; and he summarized amendments to the Community Development Block Grant Application which had been recommended by the Budget Governmental Efficiency Committee of the Board of Supervisors. He then recommended that the Community Development Program described in the application be approved as in conformity with the Master Plan.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the overall community development program described in the Community Development Block Grant Application conforms to the Master Plan and that, more specifically, the individual community development and housing projects

described in the application and the guidelines for selection of housing projects contained in the Housing Assistance Plan are in conformity with the Master Plan. The Commission noted, however, that certain of the individual projects funded with the Community Development Block Grant funds and certain of the housing projects covered in the Housing Assistance Plan portion of the application are subject to individual Master Plan reviews as specific projects are more fully developed.

PUBLIC HEARING TO CONSIDER FOR ADOPTION AS ADMINISTRATIVE REGULATIONS PROPOSED MINOR AMENDMENTS TO THE LIST OF CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.
(Under Advisement from Meeting of November 20, 1975.)

Alec Bash, City Planning Coordinator, remarked that the Commission had expressed concern about the fact that the draft which had been presented on November 20 contained a listing of potential environmental resources and hazards of critical concern in San Francisco which had been compiled by the State and which appeared to be quite incomplete. Since the State has no requirement for including that listing in a local list of types of projects which are categorically exempt from environmental review, the staff had deleted the listing and had replaced it with the following language: "The State of California Environmental Goals and Policies Summary Report, issued by the State Office of Planning and Research on June 1, 1973, includes a listing of potential environmental resources and hazards of critical concern. No such listing has been adopted by Federal or local agencies."

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended that the revised list of categorical exemptions from the California Environmental Quality Act be adopted as administrative regulations.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7409 be adopted to adopt the revised list of categorical exemptions from the California Environmental Quality Act as administrative regulations.

R75.47 - REVOCABLE ENCROACHMENT PERMIT ON 20TH STREET, EAST OF ILLINOIS STREET, TO INSTALL FENCE AND PROVIDE PARKING AREA.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is to occupy the street area of 20th Street, from 275 feet east of Illinois Street to its easterly terminus, with a fenced-off parking area and access roadway for the Port of San Francisco and the Bethlehem Steel Corporation Shipbuilding Department Yard. The fence and gate are requested to solve security problems, as there are vacant buildings and piers in hazardous condition within the area. The Port land includes the Alvord Grant property.

"The gate and fence are already installed, but apparently have not been used to prevent general public access. There are, however, signs that discourage entry: specifically, a San Francisco Police Department sign stating 'No fishing, trespassing, parking, dumping', and a Port of San Francisco sign stating 'No entry without permission'. There is presently parallel parking on both sides of 20th Street within the area to be fenced. A Bethlehem Steel guardhouse in the same area would be relocated westward to the fence. This portion of 20th Street provides access only to properties owned by the applicants for this permit.

"The Urban Design Element of the Master Plan, in Policy for Conservation No. 9, calls for review of proposals for the giving up of street areas in terms of all the public values that streets afford. It states that release of a street area may be considered favorably when in furtherance of an industrial project where the existing street pattern would not fulfill the requirements of modern industrial operations: or when necessary for a significant public or semi-public use, where the nature of the use and the character of the development proposed present strong justifications for occupying the street area rather than some other site. This proposal by the Port of San Francisco, to ensure security for its operations and restrict public access to potentially hazardous piers, meets these positive criteria, and does so in the least extensive and least permanent manner appropriate. Policy No. 9, in its negative criteria, states that no release of a street area shall be recommended which would have an adverse effect upon any element of the Master Plan.

"The Recreation and Open Space Element, in its Objective for the San Francisco Shoreline, calls for development of open spaces and recreation facilities which complement the urban character of the Bay shoreline, and describes the challenge

faced by the City to add more open space along the Bay while maintaining other essential waterfront uses. Policy No. 1 calls for all new shoreline developments, except low density residential ones, to provide and maintain on their sites ground level open space, well situated for public access and designed for maximum physical and visual contact with the water. Water-related industry may provide substitutes for this exact requirement. Staff has explored with the Port of San Francisco the current possibilities of providing public access and recreational use, but has concluded that no such access or use at this site is presently feasible. In the event the Port's Alvord Grant property is later developed, however, the granting of a revocable encroachment permit at this time must not be construed to eliminate the need for public access and use as called for in this Element".

At the conclusion of his presentation, Mr. Bash recommended that the granting of the revocable encroachment permit be approved as in conformity with the Master Plan provided that any future development for the property of the Port of San Francisco which has access from 20th Street conforms with the applicable public access and usability requirements of the Recreation and Open Space Element of the Master Plan.

Commissioner Rueda asked if the City would derive any revenue from the parking lot. Mr. Bash replied in the negative.

Commissioner Ritchie stated that the property had been used for parking for quite some time; and the new fence and gate would merely replace a fence and guardhouse which had previously existed.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the granting of a revocable encroachment permit to occupy 20th Street from a point 275 feet east of Illinois Street to the easterly terminus with a fence and parking area is in conformity with the Master Plan, provided that any future development for the property of the Port of San Francisco which has access from 20th Street conforms with the applicable public access and usability requirements of the Recreation and Open Space Element of the Master Plan.

CU75.15 - 240 - 7TH STREET, WEST LINE, 275 FEET SOUTHEAST OF HOWARD STREET.
REQUEST FOR AUTHORIZATION FOR AN 11-SPACE AUTOMOBILE PARKING FACILITY FOR A HOTEL; IN A C-3-S DISTRICT

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe

the subject property which has a frontage of 48 feet on 7th Street and Langton Street and a depth of 164 feet for a total area of approximately 7,860 square feet. The applicant proposed to construct a 72 unit addition to the existing Travel Lodge Motel; and 4,530 square feet on the ground level of the proposed building would be used for parking 11 automobiles. The existing motel has 12 parking spaces. When the whole development is completed, it will provide 102 rooms and 23 off-street parking spaces. No off-street parking is required in a C-3-S district; and parking facilities greater than 15 spaces or 7% of the total gross floor area of a building must be authorized as a conditional use. As a result, the subject conditional use application had been brought before the Commission for consideration.

The Project Architect for the applicant stated that the proposed off-street parking spaces would provide a place for motel guests to park while they are registering and unloading their baggage. Since the availability of the spaces would obviously be desirable, he hoped that the application would be approved.

Commissioner Rueda, noting that an emergency exit would be provided onto Langton Street, asked how that exit would be controlled. The architect replied that the lock on the emergency exit would be remotely controlled from the motel's office.

Mr. Steele recommended that the Commission approve the application subject to five specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He then summarized the conditions and suggested that the Commission might wish to add a sixth condition specifying that the exit on Langton Street should be used only for emergency purposes.

Commissioner Rueda stated that he felt that the sixth condition should be added to the resolution.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. The applicant replied in the affirmative.

It was then moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the draft resolution, as amended, be adopted as City Planning Commission Resolution No. 7410 and that the application be approved subject to the conditions contained in the draft resolution, as modified.

CU75.40 - BLOCKS BOUNDED BY EGBERT AND CARROLL AVENUES AND FITCH AND EARL STREETS.

REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION; IN AN M-1 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of two blocks each having an area of 120,000 square feet. The Tow Car Association, Inc. presently uses one of the two blocks for storage of autmobiles waiting to be reclaimed, sold, or wrecked and for its offices. The second block is currently vacant, having last been used for the storage of used building materials, The Tow Car Association had requested that the use of the block which is presently occupied be extended indefinitely and that the other block be used for the storage and wrecking of automobiles, a use which is currently conducted on an adjacent block which is zoned for residential use. Both of the subject blocks, as well as the third block which is presently occupied by the Tow Car Association, are scheduled for acquisition by the State for the new Shoreline Park. The Commission's previous authorization for use of the two blocks which are presently occupied by the Tow Car Association will expire in January, 1977. Mr. Steele stated that the City of San Francisco is involved in the Tow Car Association's relocation problem because the association's primary function is to remove cars illegally parked on streets under the supervision of the San Francisco Police Department, according to a contract let through the City Purchaser; and he indicated that a memorandum discussing that relocation problem had been sent to members of the Commission and would be sent to the Board of Supervisors.

Mr. Barnett, representing the San Francisco Tow Car Association Inc., advised the Commission that the association will need at least three or four months to move even after a new site has been found. He felt that the issue had been adequately described by Mr. Steele; and he stated that he would be willing to answer any questions which might be raised by members of the Commission.

Commissioner Fleishhacker asked if the staff were certain that the properties under consideration would be acquired by the State for park purposes. Mr. Steele replied in the affirmative, indicating that a letter had been received by the Department of City Planning on November 20, 1975, from the office of Assemblyman John Francis Foran, Chairman of the Assembly Committee on Ways and Means, stating that the two blocks now occupied by the Tow Car Association's yard and the third block onto which the association proposes to move will be purchased for the State park at Candlestick Cove.

No one else was present to speak in favor of or in opposition to the subject application.

President Newman asked if the applicant had requested that the conditional use authorization for use of the subject properties be granted for an indefinite time. Mr. Steele replied in the affirmative.

Mr. Steele then stated that it was the recommendation of the Director of Planning that the application be disapproved. He remarked that the authorization previously granted by the Commission will allow the Tow Car Association to use the blocks which it presently occupies for one additional year; and he did not feel that it would be appropriate to authorize the association and vacate the residentially zoned block which it presently occupies since the association would eventually have to move its operation to some other site in any case. Furthermore, the cost of the temporary move would have to be recovered from the State when the properties are acquired.

Commissioner Ritchie observed that no one knows when the State will acquire or use the properties; and he felt that the Tow Car Association, which provides an important service for San Francisco, should be allowed to use the properties until they are needed by the State. Therefore, he moved that the application be approved. The motion was seconded by Commissioner Porter.

President Newman stated that the Commission had received a letter from Shirley Jones, Chairman of the Bayview Hunters Point Community Coordinating Council, which read as follows:

"It is our understanding that two applications have recently been received by the Planning Department to use sites in this community for auto dismantling operations. This letter is written to again express our opposition to any more auto dismantlers using sites in this community.

"We are especially opposed to the issuance of a conditional use permit for the property desired by the Tow Car Association. The subject site is located much too near the Alice Griffith residential community, and adjacent to property designated for use in the shoreline recreation park that we are most desirous of having constructed. As you are aware, auto dismantling operations are extremely blighting and pose attractive nuisances for our children. They exist in no first class neighborhood in this city. We are determined that they not continue to keep our neighborhood from being a first class community. We urge your denial in both instances."

Commissioner Ritchie stated that he was aware of the concerns of the residents of the neighborhood; but he felt that the Tow Car Association's operation should be accommodated until the property is acquired by the State. Furthermore, he believed that approval of the subject application might encourage the State to move faster than usual to acquire the property.

Commissioner Rueda felt that the Tow Car Association could better spend its time looking for a more permanent location.

Commissioner Porter, remarking that the Commission had discussed the Tow Car Association's relocation problem in the past, indicated that it seemed to her that it was unlikely that a suitable location for the use could be found in San Francisco. Under the circumstances, she felt that the Tow Car Association should be allowed to use the subject properties until they are needed by the State.

Commissioner Fleishhacker remarked that the memorandum which had been prepared by the staff of the Department of City Planning concerning the Tow Car Association's relocation problem offered positive suggestions as to how the use might be accommodated in the City. The Tow Car Association has authorization to use the blocks which it presently occupies for an additional year; and he felt that it would be inadvisable for the association to spend time and money to relocate to an adjacent block instead of trying to achieve a more permanent solution to their problem.

Dean L. Macris, Director of Planning, noted that the memorandum which had been prepared by the staff suggested that it might be necessary for the City to acquire and improve property which could be leased to the Tow Car Association; and he indicated that that suggestion would be transmitted to the Board of Supervisors for its consideration.

When the question was called, Commissioner Porter and Ritchie voted "Aye"; Commissioners Carey, Fleishhacker, Newman, and Rueda voted "No". The motion therefor failed by a vote of two to four.

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried four to two that Resolution No. 7411 be adopted and that the subject application be disapproved. Commissioners Carey, Fleishhacker, Newman, and Rueda voted "Aye"; Commissioners Porter and Ritchie voted "No".

CU75.50 - RANKIN STREET, EAST LINE, BETWEEN EVANS AND DAVIDSON AVENUES.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION; IN AN M-D DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe

the subject property which is a rectangular parcel having 200 feet of frontage on Rankin Street and 250 feet of frontage on Evans Avenue and on Davidson Avenue for a total lot area of 50,000 square feet. The property is zoned R-2 and is subject to a 65-J Height and Bulk District. The property, which is presently vacant, was formally used by a lumber yard and office. The applicant proposed to operate an automobile dismantling and used auto parts sales business on the site. The sales would be conducted in a prefabricated building. The complete perimeter of the property exposed to the street would be surrounded with a ten-foot solid fence. A landscaping plan indicating street trees along Rankin Street, Evans and Davidson Avenues had been submitted with the application. The staff of the Department of City Planning had issued a negative declaration for the project on November 7, 1975; and that negative declaration had not been appealed.

Harold D. Cutler, Attorney for the applicant, felt that the subject property is the most perfect site which could be found in the City for the proposed use; and he believed that the proposed use would upgrade the neighborhood.

No one else was present in the audience to speak in favor of or in opposition to the subject application.

President Newman stated that a letter had been received from Shirley Jones, Chairman of the Bayview Hunters Point Community Coordinating Council, expressing opposition to the subject application.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to ten specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Cutler replied in the affirmative.

Commissioner Ritchie noted that Condition No. 6 of the draft resolution provided that only one sign not exceeding 32 square feet in area should be permitted for each street frontage and that the sign should be reviewed for appropriateness by the Department of City Planning before installation. Given the restriction on size, he felt that the applicant should be allowed to design the sign however he wishes.

Mr. Steele stated that the type of signs which used to predominate in the Butchertown area would be inappropriate; and, while most new uses in the area have willingly installed acceptable signs, he felt that the staff should have an opportunity to review any signs which might be proposed for the proposed use.

Commissioner Porter felt that the applicant would be making a substantial improvement by installing a fence and street trees; and, under the circumstances, she could see no reason why the staff should be involved in the design of the sign.

Dean L. Macris, Director of Planning, stated that the staff has been concerned about inappropriate signs; and he felt that the staff should have an opportunity to review any signs which the applicant might propose to install.

Commissioner Fleishhacker emphasized that the Commission was being requested to grant conditional use authorization for the proposed use; and, in so doing, the Commission has a right to establish reasonable conditions. He felt that the applicant would not regard the staff's proposal to review any proposed signs as unreasonable. Therefore, he moved that the draft resolution be adopted. The motion was seconded by Commissioner Ritchie. When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7412 and to approve the application subject to the conditions contained in the draft resolution.

ZM75.16 - 2040 UNION STREET AND 3027 BUCHANAN STREET, THE REAR 15 x 27.5-FOOT PORTION OF THE BUCHANAN STREET LOT WHICH IS PROPOSED TO BE ADDED TO THE UNION STREET LOT.
R-3 TO A C-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is presently a portion of the lot at 3027 Buchanan Street with an area of 412.5 square feet. The property is presently zoned R-3. The applicant was requesting that the property be reclassified to C-2 so that it could be added to the adjacent lot at 2040 Union Street which is presently zoned C-2. If the reclassification were approved, the applicant intended to construct a two-story plus garage addition to the adjacent commercial/office structure at 2040 Union Street. The proposed shifting of the property line and zoning boundary would decrease the rear yard area of the lot at 3027 Buchanan Street. However, that yard would still conform with the City Planning Code's rear yard and open space requirements. The proposal would increase the number of parking spaces for the surrounding properties by one. Mr. Steele stated that the applicant had

filed a similar request earlier in the year; and the Commission had approved the applicant's request for withdrawal of that application without prejudice on June 5, 1975.

Edgert Castellini, the applicant, read the following prepared statement:

"Since 1948, when I first moved to Union Street, I have been working hard to make Union Street an exceptionally attractive location, As a recent newspaper article testifies, 'It is a commercial area but of the highest quality.'

"I now intend to build an extension to the presently existing rear building. The scope of this addition is threefold:

1) To provide drainage for the parking lot which can only be done by a line running through the Buchanan Street property. (This is already in effect.)

2) To provide garage space for my neighbors of Buchanan Street, Mr. & Mrs. Bailey-Gates. Parking is an important concern for residents, and in this case this is the only location possible for them. When this is accomplished, we will be able to also control the night-time parking in the rear driveway.

3) To furnish additional office space above the garage to be used by no other than the internationally-known firm of Flambert & Flambert -- architectural engineers and designers -- who have been occupying the adjacent office space for the last eight years. This prestigious firm has been a great asset to Union Street and they are very fond of the present location, but to stay they need additional space.

"The addition to the building will improve and embellish the view, since the area to be renovated has been a natural receptacle for the dirt and mud of the surrounding areas. The tree which stands there now must be removed, as it encumbers the adjacent property and is a great nuisance in terms of debris of leaves and drainage flow. It has been unattended for so long that it is now an unkept and unsightly presence. The entire proposed structure will still leave 43 feet of open space for other more suitable trees.

"I have no pecuniary motives in this small new addition which I propose -- it will simply be able to satisfy absolute needs, as I have mentioned.

"The environmental impact commission has already given its approval.

"To accomplish all this, requires a permit for the rendering to a commercial zone a mere 15 feet of my neighbor's property. Improving the situation there now, it will be a great benefit to the neighborhood. I am enclosing a copy of what the new addition would look like for you to see. As you will notice, it will be in the same style as the existing, now-famous, architectural scheme. If you have any questions about what we propose, please feel free to phone me or my neighbor, Paul Bailey-Gates, and we will be more than happy to discuss them with you.

"I hope that you feel proud, as I do, of any such embellishments to our community. I have helped the area to achieve national historic importance, being mentioned and admired by historians, the press, movies and tourists. Of all this I feel very proud. I have at heart the further improvement of Union Street and the benefit to the owners of the surrounding properties."

Commissioner Rueda asked if the applicant presently owns the rear portion of the Buchanan Street lot. Mr. Castellini replied in the negative but indicated that he has an agreement with the owner to purchase the property if the rezoning should be approved.

Paul Bailey-Gates, owner of the subject property, remarked that the Commission had received a letter from the President of the Union Street Association endorsing the proposed rezoning. He confirmed that he had made an agreement with Mr. Castellini to sell the rear 15 feet of his lot so that Mr. Castellini could construct a small addition to his building; and, following completion of the project, he intended to lease a parking space in the new structure. In conclusion, he submitted "before and after" pictures of the proposed additions to Mr. Castellini's building.

Commissioner Fleishhacker inquired about the status of the mature cherry tree which stands on the subject property. Mr. Bailey-Gates replied that the tree would have to be removed for the proposed construction project; however, the tree had been inspected by a tree surgeon who had indicated that its life span is limited in any case.

Commissioner Rueda asked why only a 15-foot portion of the Buchanan Street lot was involved in the transaction. Mr. Bailey-Gates replied that the sale of a larger portion of his property would have violated the rear yard provision of the City Planning Code.

President Newman stated that the Commission had received letters in opposition to the subject application from the Cow Hollow Improvement Association, the Pacific Heights Association, and Mrs. Monteverdi 2040 Filbert Street. In addition, a petition signed by approximately 150 individuals had been submitted in opposition to the proposal. Letters in support of the proposal had been received from the Union Street Association, the Barbary Coast Investment Corporation, and Flambert and Flambert, Inc.

Charles Giampaoli, 2069 Filbert Street, stated that he objected to the applicant's proposal because it could ultimately result in the expansion of the Delancey Street Restaurant.

Marija Pesusic, owner of a 24-unit building at 2035 Filbert Street, stated that Mr. Castellini had never cooperated with him; and he was opposed to the proposed reclassification.

Mario Benigni, 3121 Buchanan Street, felt that the Union Street commercial strip has already protruded far enough into the adjacent residential area; and he felt that construction of a two-story building on the subject property would be undesirable. Furthermore, the proposed garage would bring more noise into the area.

Judy Honig, Manager of the Coffee Cantata Restaurant, asked who would use the middle level of the proposed building. The applicant's architect replied that the middle level would be occupied by the firm of Flambert and Flambert Inc.

Ms. Honig then stated that she has trouble controlling nighttime parking at her restaurant; and she doubted that the applicant would be able to exercise any control over the new off-street parking spaces which were being proposed. She believed that the applicant's project would bring a great deal of additional congestion to the neighborhood.

President Newman asked for a show of hands by those individuals present in the audience in opposition to the application. Eight individuals responded.

Mr. Steele remarked that the proposed reclassification would be an expansion of the commercial district into the residential area despite the substantial amount of properties zoned commercial in the immediate vicinity. Furthermore, the proposed reclassification would allow for the expansion of an existing office building which would

eliminate some residential rear yard area and a tree, both of which are highly visible in their mid-block location. A considerable amount of opposition to the proposal had been demonstrated by residents of the neighborhood; and the applicant had not shown that the public necessity, convenience or general welfare would require the proposed reclassification. Therefore, it was the recommendation of the Director of Planning that the subject application be disapproved.

Mr. Castellini felt that the members of the Commission should visit the subject property before taking action on the application. President Newman responded that the Commission had taken a field trip to the site.

Mr. Castellini then stated that his proposal would improve the neighborhood by providing a parking space for Mr. Bailey-Gates. Furthermore, it would eliminate problems caused by the low elevation of the subject property which provides a place for water to stand. Although the project would require removal of the mature cherry tree on the property, the tree is partially located on his property; and, as a result, he could cut it down at any time.

Commissioner Rueda asked if Mr. Castellini could construct any sort of addition to his building without utilizing the subject property. Mr. Steele replied in the negative.

Commissioner Ritchie asked how many tenants Mr. Castellini has in his present buildings. Mr. Castellini replied that he has approximately ten tenants.

Commissioner Fleishhacker asked if Mr. Bailey-Gates would have the ability to construct a garage in his rear yard if the zoning of that property were to remain unchanged. Mr. Steele replied in the negative, indicating that the City Planning Code would not permit the construction of a garage in the rear yard area of the lot as long as the lot is zoned R-3.

Commissioner Ritchie felt that the addition which was being proposed would be attractive; however; the basic issue before the Commission was whether the Union Street commercial district should be expanded into the adjacent residential area. He, personally, felt that there is already an adequate amount of commercial space along Union Street; and he believed that the commercial district should not be extended into the adjacent residential district. Therefore, he moved that the application be disapproved. The motion was seconded by Commissioner Porter.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7413 and to disapprove the subject application.

CU75.53 - 156-162 GUERRERO STREET, WEST LINE, 105 FEET SOUTH OF CLINTON PARK.

REQUEST FOR AUTHORIZATION TO CONTINUE TO USE THE SUBJECT PROPERTY AS A PARKING LOT FOR 43 CARS AS PART OF THE SERVICE OPERATION OF S & C MOTORS, INC., IN AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with 105-foot frontage on Guerrero Street and a depth of 130 feet for a total area of 13,650 square feet. The property is in an R-4 district and is subject to a 40-foot height limit. The property was formally used as a parking lot for Mary's Help Hospital; and, in 1973, the City Planning Commission authorized use of the property by S & C Motors for storage of cars which have been brought in for service. The authorization was limited to a two year period. The applicant, S & C Motors Inc., had requested authorization to continue the present use of the property.

George Choppelas, Attorney for the applicant, advised the Commission that the number of Ford franchises in San Francisco has diminished; and, as a result, more people are bringing their automobiles to S & C Motors Inc. for service. In that regard, S & C Motors provides a valuable service for residents of the neighborhood. He emphasized that his clients had complied with all of the conditions which had previously been established by the Commission in authorizing the use; and, to his knowledge, no complaints had been received regarding the use. He stated that the lot is always closed by 6:00 p.m. If permission were not granted to continue the use of the property, S & C Motors Inc. would have to cut back on services and personnel; and, in addition, they would have to use on-street parking spaces for their customers' cars. He regarded the subject block of Guerrero Street as one which is unique in that three of the lots are occupied by non-conforming uses; and he emphasized that the block to the north is zoned for commercial use. If the subject property were developed under R-4 standards, 58 dwelling units could be constructed; and he believed that the congestion which would be caused by that number of units would have a more detrimental effect on the neighborhood than continuation of the present use. He understood that only one letter had been received by the Commission in opposition to the application; and the person who had written that letter was referring to a completely different parking lot. He requested that the Commission allow the present use to continue at least until such time as Residential Zoning Study is completed. While his clients was

reluctant to install landscaping on the site unless a long term authorization were granted for the use, they would be willing to install landscaping if such a requirement should be established by the Commission.

Walter Geiger, 245 Clinton Park, represented the Ad Hoc Committee of Clinton Park Neighbors for a better neighborhood. He then read and submitted the following letter which had been signed by 28 residents of the neighborhood:

"The residents and property owners of the 200 block of Clinton Park strongly object to the continuance of the S & C Motors parking lot on 156-162 Guerrero Street, San Francisco.

"The signatories of this letter of protest have formed the ad hoc committee known as Clinton Park Neighbors for a Better Neighborhood/Los vecinos de Clinton Park para una mejor vecindad, herafter referred to as CPN/VCP.

"As neighbors in the area bound by Dolores, Market, Duboce and Guerrero, we want to live in harmony with those businesses that occupy the commercially zoned properties. Presently two major businesses occupy this land, namely: S & C Motors and Gantner, Felder, Kenny. Neither has shown much sympathy or care for the neighborhood which they share with residential properties.

"Because of the recently announced pending lease of GFK properties to McDonald's Hamburger Chain and the proposed Shell Gasoline Filling Station which touch on residential properties located on the 200 block of Clinton Park, we are much more concerned with the proposed renewal of S & C Motors parking facility located at 156-162 Guerrero Street.

"The said property is zoned R-4 (High Density Multiple Residential). We strongly urge that it be used for residential purposes only.

"As residents in this area, we feel that the City Planning Commission, as well as the Zoning and the Permit Bureaus are our only hope for maintaining a residential character for our neighborhood. We are aware that the two major businesses in the area have been buying too many of the residentially zoned properties (often razing the homes that occupy the land) and, indifferent to the remaining property owners, hold and

speculate on the newly acquired real estate, and, in most cases apply for and receive a variance on residential property for parking facilities. Of course, as residents and property owners, we cannot afford to compete with the capital resources of these commercial interests.

"Since receiving a variance, S & C Motors use of the aformentioned parking lot has increased traffic on Clinton Park disproportionately with its residential character. Because of the one way nature of the streets in the area (i.e., Clinton Park and Guerrero--median strip), car jockeys for S & C Motors find Clinton Park a convenient route to the parking lot on Guerrero, often times racing motors, screeching starts and stops, besides parking on Clinton Park sidewalks which, incidentally, display 'no parking at any time' signs.

"We urge the commission to revoke the conditional use permit for the aforementioned property and stand firm on the commitment that residential use will be made of such property.

"We are opposed to the destruction of substantial inhabitable residential properties (in some cases of historical merit) at the whim of commercial interests that result in the slicing out the heart of a residential neighborhood. San Francisco is a unique city because of its tender marriage of bustling commercial enterprises and quiet residential havens within a short radius of each other--often adjacent to each other. We, the CPN/VCP want to regain our street as residential and improve it as so many small neighborhoods have done in the past before us."

Another resident of the neighborhood stated that employees of S & C Motors drive automobiles along Clinton Park as if it were a race track.

President Newman called attention to a letter which had been received from Colleen and Samuel Trawick, 168-170 Clinton Park, in opposition to the subject application.

Mr. Steele remarked that the subject property is adjacent to and abutted by residentially zoned and used properties; and the operation of a parking lot for parking automobiles owned by service customers of an automobile sales firm is incompatible with the residential character of the surrounding properties. Furthermore, the applicant had not demonstrated any need or public necessity for

use at the subject location which would override the negative effect generated. Therefore, it was the recommendation of the Director of Planning that the application be disapproved.

Mr. Choppelas stated that the letter which had been mentioned by President Newman referred to a parking lot across the street from the subject property where residents of the neighborhood park their cars. He stated that no one had previously complained about traffic on Clinton Park; however, if that was a problem, he believed that his clients would be willing to agree to prohibit their employees from using that street. He remarked that the subject neighborhood has been in a state of flux ever since BART construction was initiated; and he remarked that it is not really a completely residential neighborhood. Under the circumstances, he felt that continuation of the present use for a limited period of time, perhaps two years, would not have a detrimental effect on the area.

Commissioner Rueda moved that the subject application be approved. He stated that he had had personal experience with the parking lot, having taken his automobile to S & C Motors for service; and he felt that use of the lot is well controlled. If use of the lot were denied to the applicant, he believed that a serious parking and traffic problem would develop in the neighborhood.

The motion was seconded by Commissioner Fleishhacker. He noted that the subject property is zoned R-4 and, even if the subject application were to be denied, he doubted that the property would be developed for residential use in the foreseeable future. As a result, the lot would remain vacant and would be less attractive than it is under its present use. Under the circumstances, he felt that the Commission should extend the authorization for a period of two years subject to a condition specifying that employees of S & C Motors Inc. should not use Clinton Park for access to or from the site.

Mr. Steele noted that the authorization previously granted by the Commission for the use had been subject to specific conditions; and he recommended that continued use of the site be subject to the same conditions as well as the condition which had just been recommended by Commissioner Fleishhacker.

Commissioners Rueda and Fleishhacker amended their motion and second to specify that the authorization should be limited for two years and that it should be subject to the conditions previously established by the Commission as well as additional condition providing that employees of S & C Motors Inc. should not use Clinton Park for access to or from the site.

President Newman asked Mr. Geiger if he would still be opposed to the application in spite of the conditions which were being considered.

Mr. Geiger replied that there would be no possibility for residential development of the site so long as it is occupied by S & C Motors. However, if the site were available, he believed that there was a possibility that it might be developed for residential use. He informed the Commission that residential construction is taking place on Brosnan Street; and, as a result, there is construction activity in the neighborhood.

President Newman asked if the conditions which were being considered by the Commission would be acceptable to the applicant. Mr. Choppelas replied in the affirmative.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7414 to grant authorization for continuation of the use for two years subject to the conditions which had been discussed.

CU75.54 - 2711 AND 2715-17 PINE STREET, SOUTH LINE, 100 FEET WEST OF DIVISADERO STREET.

REQUEST FOR AUTHORIZATION FOR A PRIVATE NON-COMMERCIAL RECREATIONAL OPEN USE (ONE TENNIS COURT); IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a frontage of 50 feet along Pine Street and a depth of 137.5 feet for a total area of 6,875 square feet. The property is zoned R-3 and is subject to a 40-foot height limit. The easterly property line abuts on a C-2 district. The property is presently vacant. The applicant proposed to construct a private tennis court on the property for use by 15 to 20 families organized as a limited partnership. The tennis court would be illuminated for play at night. A 16-foot wall along the Pine Street frontage, ten-foot screening along the property line, a small maintenance-equipment shed, and a small sandbox would be included in the proposed project.

President Newman asked if anyone was present in the audience in opposition to the subject application and received a negative response.

Commissioner Fleishhacker asked why conditional use authorization was necessary for the proposed use. Mr. Steele replied that private recreational facilities financed by and for the use of private corporations can be authorized only as conditional uses. If the same facility were proposed by an individual for his own benefit, it could be authorized as a principle permitted use.

Mr. Steele recommended that the application be approved subject to five specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Thomas A. Elliott Jr., the applicant, replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7415 and that the application be approved subject to the conditions which had been recommended by the staff.

At 4:05 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 4:15 p.m. and proceeded with hearing of the remainder of the agenda. Commissioner Ritchie was temporarily absent from the meeting room.

MP75.3 - REVIEW OF INSTITUTIONAL MASTER PLAN FOR ST. FRANCIS MEMORIAL HOSPITAL.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), read the following statement:

"The purpose of this hearing is to provide an opportunity for the City Planning Commission and the general public to review the proposed Master Plan for the development of the St. Francis Hospital Medical complex.

"It should be noted that this review, and the comments made, will not constitute endorsement of any development proposals contained in the plan, nor give permission for any work not already granted conditional use authorization by the Commission.

"Major additions or modifications to an existing conditional use hospital requires a new Conditional Use Authorization, which involves a public hearing before the City Planning Commission".

Janis Birkeland, Planner III-Urban Design, offered the following comments:

"St. Francis Hospital is presently operating as a conditional use under plans reviewed and approved by the City Planning Commission in 1964. The diagrams attached to the case report

show this 1964 plan, and a proposed Master Plan revision for St. Francis Hospital that was presented to the City Planning Commission in November of 1974.

"Since that time, substantial changes have been made in the plans for the medical office building complex proposed for the hospital properties on the west side of Hyde. The hospital is therefore here today to present a revised Master Plan to the Commission and public for review prior to the submission of a Conditional Use Application.

"At the 1974 Master Plan presentation, the medical office building complex was to consist of 2 towers over underground parking. The major concerns expressed by the public at that hearing related to the demolition of 52 units of moderately-priced housing, and the lack of usable open space on the site. Questions were also raised by the Commission regarding a pedestrian bridge over Hyde Street, which is no longer a part of the Master Plan proposal. Following that hearing, the City Planning Department staff, as a part of its review process, provided the hospital and its architects with guidelines for development which indicated basic planning and design issues to be considered in the further development of the proposal. These guidelines suggested that alternative site plans be considered with the objective of preserving the existing housing and providing publicly-accessible open space. In addition, the staff asked that the need for an increase in floor area devoted to medical office facilities on the site be clearly established before any increase in land area used for office facilities in a residential area even be considered.

"When the design studies were subsequently resumed, the applicant found that financial considerations prohibited underground parking, and consequently developed a new proposal with an above-grade garage and an open parking lot adjacent to a medical office building (to be located on the SW corner of Hyde and Bush). In response to the new proposal, the staff commented that to mitigate the impact that such a parking structure would have in a residential area, the hospital should explore the idea of developing a public park on the top of the existing underground parking garage, which would be approximately at grade on Hyde Street.

"The staff also noted that the surplus property (at the SE corner of Hyde and Bush) might be sold with the stipulation that the buyer develop moderately priced housing on the property. These comments are reflected in the Revised Master Plan which is to be presented today by the hospital and its consultants. The hospital has submitted a second preliminary draft environmental impact report which is now under review by the Office of Environmental Review. Additional materials related to the EIR are expected to be submitted by the consultant.

"In its presentation, the hospital will describe its long-range and short-range plans, and explain the reasons for, and probable impacts of, the proposed modifications to the existing authorization. Mr. Randall, who is representing St. Francis Hospital, will make the presentation."

Robert Randall, Assistant Administrator, stated that the Master Plan for St. Francis Hospital had first been presented to the Commission in 1964 and had later been updated in November, 1974. Since the 1974 submission, the Master Plan had been updated. At present, the Master Plan calls for a first phase of construction involving a hospital addition and an ambulatory care center. The second phase would involve completion of that building, and the third ph ase would involve construction of a medical office building and parking garages.

Walter Costa, representing Skidmore, Owings and Merrill, architects for St. Francis Hospital, displayed drawings of the present hospital complex and of the complex as it would appear following completion of the construction contemplated in the Master Plan. Initially, the hospital proposed to construct the first floor of the new hospital building for ambulatory care; and a conditional use application would be filed for that project. The rest of the construction contemplated in the Master Plan would follow at a later date. In the Master Plan which had been presented to the Commission in 1974, two medical office buildings were proposed on the west side of Hyde Street; however, the offices had been consolidated into a single building in the new proposal. Given the present landholdings of the hospital, the only possible location for the medical office building was on the west side of Hyde Street. The medical office building could not be built above the new hospital wing because hospitals must meet more stringent construction requirements than medical office buildings; and it would not be possible to construct the new medical office building on the site of the present medical office building because the doctors would have to be displaced from their offices during the interim. The new Master Plan proposal also

calls for the construction of two parking structures, one of which would have a mini-park on its roof with access from Hyde Street as suggested by the staff of the Department of City Planning. While the Commission's guidelines specify that hearings on conditional use applications should not be held until six months after a Master Plan has been presented, he indicated that St. Francis Hospital did wish to request that the conditional use application for the ambulatory care facility be held at an earlier date. He stated that the hospital is facing funding problems; and time is of the essence. He expected that the Environmental Impact Report on the hospital's Master Plan will be completed by the end of March; and he hoped that the conditional use application could be heard at that time. He felt that the Master Plan presently before the Commission represented only minor changes in the Master Plan which had previously been submitted in 1974; and, in any case, the conditional use application would be only for a one-story hospital addition and not for the entire Master Plan proposal.

Commissioner Porter asked if the Commission could hold the public hearing on the conditional use application at the same time that the hearing on the Environmental Impact Report is held. Mr. Steele replied that the hearing on the conditional use application could not be held until such time as the Environmental Impact Report has been certified as complete. However, when that action has been taken, the Commission could conduct the discretionary review hearing whenever it felt that such a hearing would be appropriate.

Dean L. Macris, Director of Planning, emphasized that the Commission's guidelines for review of proposals for institutional expansion specify that no conditional use application should be considered until six months after a Master Plan has been presented. He noted that the Commission was considering a major development proposal; and he remarked that proposals for the expansion of institutions are issued of major concern in San Francisco. The medical office building proposed in the St. Francis Hospital Master Plan would require the demolition of 52 residential units; and the staff of the Department of City Planning continued to be concerned about that problem. The hospital owns property on the south side of Bush Street which is presently used as a parking lot; and, since no proposal had been made for use of that property in the Master Plan, the staff has suggested that the property might be sold for construction of new housing. The Director remarked on the fact that the Board of Supervisors had requested the City Planning Commission to hold hearings on a proposed ordinance which would mandate a six month delay between the presentation of an institutional Master Plan and any public hearing on a conditional use application for any specific development; and he indicated that the staff of the Department of City Planning is considering the desirability of incorporating such a provision in the City Planning Code as the recommendations

of the Residential Zoning Study are being formulated. Under the circumstances, he personally felt that the Commission should honor the six months delay as called for in its own guidelines; however, if the Commission wished to set an earlier date for the conditional use hearing, he felt that that hearing should not be scheduled until such time as the staff can predict more accurately when the Environmental Impact Report will, in fact, be completed.

Mr. Costa stated that he expected that the Environmental Impact Report would be completed near the end of March. Since every day or week lost is critical in terms of funding, he hoped that he could get some indication from the Commission as to whether the conditional use hearing could be held before the six month has elapsed.

Mr. Randall confirmed that the hospital does have financing problems; and, as a result, it is anxious to obtain approval for the first phase of the project. When asked by Commissioner Fleishhacker to be more specific, Mr. Randall stated that funds for the construction project may revert back to a pool if construction is not started in June, 1976.

President Newman quoted from a letter which he had received from Orville N. Booth, Executive Vice President of St. Francis Hospital, as follows:

> "St. Francis Memorial Hospital made a presentation of its Master Plan to the City Planning Commission in a public hearing on November 14, 1974. Since that date, as a result of further planning studies, certain changes have been decided upon, and a modified Master Plan is being presented to the Commission and the public on December 4, 1975.
>
> "The changes affect the plans for development on the west side of Hyde Street, namely, the proposed Medical Office Building and parking facilities. The development on the east side of Hyde Street, namely, the new addition to the hospital, remains the same, except that the future number of stories is five (5), instead of four (4) as it was previously.
>
> "It is the intention of the hospital to proceed with construction of the hospital addition as soon as the necessary approvals and permits can be obtained. The Medical Office Building and parking development will follow at some future time which is presently undetermined.

"Since the hsopital addition has been granted Federal funding assistance, a time schedule has been developed which must be adhered to in order to avoid jeopardizing the sources of funds. This schedule calls for opening construction contract bids on June 22, 1976, and if in order, starting construction immediately thereafter.

"In view of this schedule, St. Francis Memorial Hospital hereby requests exemption from the waiting period of six (6) months between a Master Plan Review hearing and a Conditional Use hearing, in the event said waiting period should be deemed to commence as of the date December 4, 1975. Our Master Plan has been presented previously, and the hearing on December 4, 1975 is to update the same material presented on November 14, 1974.

"It is our intention to apply for a Conditional Use approval of the site of the new hospital addition only, with the request that the Conditional Use hearing be scheduled as soon as the final Environmental Impact Report is accepted. We anticipate this acceptance will be possible to achieve by the end of March, 1976, or earlier.

"We would greatly appreciate your favorable consideration of this request."

At this point in the proceedings Commissioner Ritchie returned to the meeting room and reassumed his seat at the Commission table. Commissioner Rueda absented himself from the meeting room for the remainder of the meeting.

Terry H. Covert, Chairman of the Nob Hill Neighbors, submitted and summarized the following letter:

"While the latest Master Plan is a definite improvement over the original plan, the plan is in direct conflict with the housing goals of San Francisco.

"This plan should be altered before it is formally adopted by this commission. The present vacant lot next to the Main Hospital building is presently zoned to be used for a much larger building than is being planned.

"A doctor's office complex immediately next to the present structure would use the available space more effectively, and save the older residential buildings that provide low cost housing to citizens of this neighborhood.

"Your decision should be based upon the greater need. Do we need low cost residential housing more than we need more medical office buildings? If we need both, St. Francis Hospital should look to ways of providing this space with its present land resources and preserve the existing apartment buildings".

Subsequently, Mr. Covert stated that an elderly tenant of one of the 52 dwelling units had been present in the audience earlier in the meeting but had had to leave. He stated that all of the units in the buildings are not being rented at the present time; and he emphasized that there is definitely a shortage of low cost housing in the City.

President Newman asked if the hospital intended to take advantage of the maximum height limit permitted on the northeast corner of Hyde and Bush Street. Mr. Steele replied in the negative but indicated that the building being contemplated would take full advantage of the bulk limits permitted by the City Planning Code.

Mr. Covert suggested that the Commission should be somewhat skeptical when arguments are presented to the effect that Federal funds may be withdrawn if action is not taken by the Commission on a particular proposal by a particular date.

George Hadded, a tenant of the apartment building owned by the hospital advised the Commission that he had managed hotels and apartment buildings for 35 years; and, based on that experience, it was his opinion that the apartment buildings owned by the hospital are in excellent shape. He felt that the buildings should continue to be available to people who need the type of housing which they provide.

Dick Jesson, 935 Hyde Street, stated that there is a need for low-cost housing, especially in the downtown area; and he indicated that such housing is needed for older people and younger people without means who must depend on public transportation. Under the circumstances, he felt that the Commission should try to achieve a balance between the City's housing needs and the needs of the hospital. He believed that any action taken by the Commission to approve a conditional use application for construction of the first floor of the new hospital building would ultimately affect the location of the new medical office building because it would not then be possible to construct the office building on that site; and, therefore, he felt that the conditional use application should not be considered until the Master Plan has been modified to reflect the best possible use of the land available. In conclusion, he stated that he was also concerned about the traffic problems which

would be generated by the proposed facilities; but he felt that it would be more appropriate to discuss that problem when the Environmental Impact Report is being considered.

No one else was present in the audience to be heard on this matter.

Commissioner Ritchie inquired about the rental rates being charged for the apartments in the buildings which are owned by St. Francis Hospital. After being advised that rental rates in the buildings range from $115 to $150, he asked if the hospital had purposely kept the rents low in order to accommodate the people who are living in the buildings.

Mr. Randall acknowledged that the units could probably be rented at a higher rate. He indicated, however, that the hospital had purchased the buildings only one year ago; and, as yet, no decision had been made to change the rates. When asked by Commissioner Ritchie what rental rates he felt might be appropriate for the building, he replied that he was not familiar enough with rental rates in the area to make an estimate.

Mr. Covert estimated that the studio units in the building could be rented for $160 or $170 and that the one-bedroom units could be rented for $200.

Commissioner Ritchie stated that his own estimate was that the units in the buildings could be rented for between $175 and $250. By charging lower than market rate rents, the hospital had provided a benefit to tenants of the building; and he felt that that fact should not be overlooked.

Commissioner Fleishhacker remarked that he may not be on the Commission when the conditional use application for the first phase of the project is considered. However, he felt that the hospital should know that his own point of view was that the 52 dwelling units should be preserved and that no conditional use application should be granted unless the Master Plan is changed to indicate that doctor's offices would be included in the hospital building or located on the vacant property on the south side of Bush Street.

Mr. Costa stated that the lot on the south side of Bush Street is smaller than the property occupied by the apartment building. The hospital wishes to provide medical offices to accommodate a certain number of doctors; and it would not be possible to construct all of those offices on the smaller lot. In response to further questions raised by Commissioner Fleishhacker, Mr. Costa stated that 74 doctors are housed in the hospital's present office building; and he believed that less than 60 offices could be constructed on the Bush Street site.

Commissioner Fleishhacker then observed that it should be possible for the hospital to find office space in the vicinity for the 14 doctors who would be dislocated. In any case, he felt that the hospital should more fully explore the alternatives available to it.

The Director stated that the staff was very concerned about retaining the 52 dwelling units and had worked with the hospital to investigate alternatives which would achieve that end. He felt that alternatives were available although they would not satisfy all of the hospital's desires. He believed that the staff would benefit from the guidance of the Commission with respect to the desirability of retaining the dwelling units; and he urged the members of the Commission to comment on that issue.

Commissioner Fleishhacker remarked that he could not take the position that the need for the office building is greater than the need for housing.

Commissioner Ritchie stated that his feelings were the same as those which had been expressed by Commissioner Fleishhacker. He remarked that many of the newer apartment buildings being constructed in San Francisco are of inferior quality; and he felt that the 52 dwelling units owned by the hospital would be worth preserving. The hospital owns several parcels of land in the vicinity; and he questioned whether the hospital had really explored all of the alternatives available to it. He believed that it would be possible for the hospital to develop a better Master Plan which would not require removal of the dwelling units. Furthermore, if the apartment buildings could be retained, the hospital might be able to get more income out of them than it is getting at the present time.

Commissioner Rueda recalled that an earlier Master Plan presented by the hospital had called for a pedestrian bridge across Hyde Street; and he asked if that bridge had been eliminated from the Master Plan. Mr. Costa replied in the affirmative.

Commissioner Ritchie stated that he hoped that the proposal for the pedestrian bridge would not be revived.

Commissioner Porter felt that it was clear that the staff was firmly opposed to the Master Plan in its present form since it would involve demolition of the apartment buildings; and it was clear that members of the Commission were of the opinion that the Master Plan is not as desirable as it should be. Nevertheless, she was concerned about the possibility that St. Francis Hospital might lose its Federal grant if construction is delayed.

President Newman remarked that members of the Commission had witnessed the resentment of various neighborhood groups as hospital expansion projects have been proposed which reduce residential amenities; and he advised the representatives of St. Francis Hospital that they will have to take the concerns of residents of the subject neighborhood into account.

Mr. Costa stated that they had worked with the staff of the Department of City Planning and had done everything that the staff had asked; and they had not previously sensed that the staff was opposed to the Master Plan proposal. He felt that they had exhausted all possible alternatives for the Master Plan; but he indicated that they would be willing to reconsider the matter. He remarked that neither the staff nor the Commission had spoken out so strongly when the previous Master Plan was considered one year ago; and he was concerned about the fact that it now appeared that the hospital would not be granted a conditional use authorization for the hospital building unless the Master Plan is revised. Under the circumstances, he felt that the hospital might have to retain its present medical office building at 909 Hyde Street; and he remarked that that is a substandard building.

President Newman stated that the Commission did not wish to tell the hospital how to design its project; but the Commission did feel that the hospital must be sensitive to the concerns of residents of the area.

Commissioner Rueda remarked that the hospital could resolve the problem by finding a new location for the medical office building. The problem with the present proposal was that it would result in the provision of facilities for doctors at the expense of residential tenants.

The Director observed that representatives of the hospital must have been impressed by the fact that the 52 dwelling units in the apartment buildings are very important to the City, the staff, and the Commission.

Mr. Costa stated that they would make a further effort to resolve the problem now that they were aware of the feelings of the staff and the Commission. However, he hoped that the Commission would be willing to consider the conditional use application for the first floor of the hospital building at the earliest possible date.

Mr. Covert expressed his appreciation to the Commission for the stand which they had taken on this matter.

CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR NORTH SHORE OUTFALL CONSOLIDATION, SAN FRANCISCO WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM III. (Under Advisement from Meeting of October 30, 1975, and November 20, 1975.)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended that this matter be continued under advisement until the meeting of December 11, 1975. Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that this matter be continued under advisement until the meeting of December 11, 1975.

EE75.360 - PUBLIC HEARING ON APPEAL OF DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT MUST BE PREPARED FOR A PROPOSED SELF-SERVICE GASOLINE STATION AT 1999 MARKET STREET. (Building Application No. 451214.)

Commissioner Ritchie stated that he has real estate signs on the subject property; and he asked to be excused from the Commission's deliberations on this matter because of a possible conflict of interest. Permission was granted and he left the room.

Douglas Holmen, Planner II, described the proposed project and explained why the staff of the Department of City Planning had reached the conclusion that an Environmental Impact Report should be prepared for the proposal.

The Commission then received testimony from Walter Geiger, 245 Clinton Park, Jim Munson, representing the Shell Oil Company; Frank Fitch, representing the Eureka Valley Promotion Association, and Robert Dougherty, owner of the subject property.

During the course of the proceedings, Commissioner Porter absented herself from the meeting room for the remainder of the meeting. At the conclusion of the public hearing, Dean L. Macris, Director of Planning, recommended that the staff's requirement for preparation of the Environmental Impact Report be sustained.

Subsequently, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7416 be adopted with the following resolve: "THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the proposed project may have a significant effect on the environment and does hereby affirm the determination of the Department of City Planning".

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At this point in the proceedings, Commissioner Ritchie returned to the meeting room and reassumed his seat at the Commission table.

CONSIDERATION OF SETTING DATE FOR HEARING CONDITIONAL USE APPLICATION NO. CU75.49 FILED BY ST. JOSEPH'S HOSPITAL LESS THAN SIX MONTHS AFTER CITY PLANNING COMMISSION REVIEW OF THE MASTER PLAN FOR SAID INSTITUTION ON OCTOBER 2, 1975.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this matter as follows:

"The staff of the Department of City Planning considers the changes to the existing structure and site plan to be improved in terms of the effect that the new construction would have on the surrounding neighborhood, and is pleased that the hospital has chosen to renovate the existing facilities rather than demolish a sound structure.

"The Office of Environmental Review has completed its evaluation of the proposed project and has determined that it could not have a negative impact on the environment.

"The hospital has involved neighborhood residents in the planning of the project, and City Planning Department staff discussions with representatives of neighborhood organizations in the vicinity of the hospital have confirmed that there is broad community support for the project.

"In addition, the review subcommittee of the San Francisco Comprehensive Health Planning Council has evaluated the proposal and has recommended that the project be approved.

"In view of the general support that this proposal has received, and the fact that the project would be a renovation, rather than an expansion (with a net decrease in floor area and number of hospital beds), the 6 month waiting period between the Master Plan review and the conditional use hearing would not serve a real public purpose.

"We therefore recommend that the City Planning Commission consider the conditional use application for St. Joseph's Hospital on January 8, 1975.

Following Mr. Steele's presentation, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the hearing on the conditional use application filed by St. Joseph's Hospital be scheduled for January 8, 1976.

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SUMMARY AND MINUTES
OF THE
SAN FRANCISCO
CITY PLANNING COMMISSION
SPECIAL MEETING
TUESDAY
DECEMBER 9, 1975
100 LARKIN STREET
1:15 P.M.

The City Planning Commission met pursuant to notice on Tuesday, December 9, 1975, at 1:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott and Mortimer Fleishhacker, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Peter Svirsky, Executive Assistant to the Director of Planning; Maurice F. Groat, Planner IV-Urban Systems Analyst; Lucian Blazej, Planner IV; Alan Lubliner, Planner III; Audrey Owen, Administrative Assistant to the Director of Planning; Linda Ferbert, Planner II; John Mackie, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

CONSIDERATION OF WORK PROGRAM AND BUDGET FOR THE DEPARTMENT OF CITY PLANNING FOR FISCAL YEAR 1976-77.

Dean L. Macris, Director of Planning, summarized the Department's Work Program as proposed for the period from January 1, 1976, through June 30, 1977. Lynn E. Pio, Administrative Secretary, summarized the proposed budget for the fiscal year 1976-77, explaining areas in which additional funds were being requested. During the course of the discussion which followed, the Commission requested the Director to prepare a list of high priority work program items and methods of implementing them for President Newman to discuss with the new Mayor. The Commission also requested President Newman and the Director to meet with the new Mayor to discuss his views concerning the relationship between the Department of City Planning and the Mayor's Office of Community Development.

At the conclusion of the discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the proposed Work Program and Budget for the Department of City Planning for fiscal year 1976-77 be approved. The Commission also requested that a letter of transmittal be prepared to explain to the Mayor and the Board of Supervisors

that the Budget and Work Program had been prepared with the assumption that certain relationships and policies would continue into the new administration. However, if changes in policies or relationships should take place, the proposed Budget and Work Program should be reassessed.

PRESENTATION OF STATEMENT ON INFORMATION BASE DEVELOPMENT.

Maurice F. Groat, Planner IV-Urban Systems Analyst, presented and summarized a memorandum entitled "Status of Department Work in Information Base Development". Following the presentation, he responded to questions raised by members of the Commission. The memorandum is available in the files of the Department of City Planning.

PRESENTATION OF STATEMENT ON PRESERVATION PROGRAM.

John Mackie, Planner II, presented and summarized a memorandum on department work related to preservation in the areas of a) Landmarks and Historic Districts, b) Architectural Survey, c) Preservation Loan Program, and d) Parapet Retention Program. The memorandum is available in the files of the Department of City Planning.

At 3:05 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 3:15 p.m. and proceeded with hearing of the remainder of the agenda. Commissioner Elliott was absent from the meeting room for the remainder of the meeting.

PRESENTATION OF PARKING MANAGEMENT PLAN STUDY REPORT.

Charna Staten, Consultant to the Department of City Planning, presented a report entitled "Parking: Conditions and Trends" and presented and summarized a report entitled "Parking in San Francisco" which contained proposed policies and programs for parking management. Following the presentation, she responded to questions raised by members of the Commission. Both reports are available in the files of the Department of City Planning.

The meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 11, 1975.

The City Planning Commission met pursuant to notice on Thursday, December 11, 1975, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; George Carey, Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Moira So, Planner III; Alan Billingsley, Planner II; Linda Ferbert, Planner II; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Marshall Kilduff represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Margaret Spaulding represented the Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meeting of November 13, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded the Commission of the Special Meeting scheduled for next Tuesday, December 16, at 2:30 p.m. in the Auditorium of the Veterans' Building to receive and consider the report of the General Manager of the Recreation and Park Department concerning the Open Space Acquisition and Park Renovation Fund.

The Director informed the Commission that its Regular Meeting next Thursday will commence at 1:00 p.m.

The Director advised the Commission that he will use some of his accumulated vacation time during the last two weeks of December.

The Director continued his report as follows:

"On November 13, this Department together with the Community College District, the Public Library and the Office of Community Development jointly held a public meeting in Chinatown. The subject was the future use of the Chinatown Branch Library site located on the west side of Powell Street between Washington and Jackson Streets. The sheet in front of you shows the location of the Branch Library.

"In early October of this year, the Community College District suggested the idea of constructing a new building on the existing site of this library, to provide space for a larger branch library and for education programs of the Community College District.

"The District is presently running 98 classes in 14 different locations in Chinatown. The facilities are not suitable for adult students and the space is not adequate to provide a comprehensive adult education program. In fact, the District's staff together with members of the Chinatown community have been looking for a suitable site for a center in Chinatown for several years. Furthermore, the Public Library itself has a need to expand services in Chinatown to be responsive to the growing demand from its users and the community.

Although the present library structure has two levels, only the upper level can be used actively. In the past three years, there have been attempts to secure funds to improve the present library. In the 1976 Community Development Program, $194,000 was proposed for renovation of the lower level to create usable multi-purpose rooms. A new building is a logical and better alternative, and therefore the Public Library is very interested in the idea of a new building that will accommodate a larger library.

"The public meeting on November 13 was well attended: about 120 people were present. Strong support for the proposal came from many organizations and individuals. Community groups urged inclusion of multi-purpose space in the new building. There were questions raised about the provision of library services during the construction period, and those questions will have to be answered.

"Next week, Dr. Batmale, Superintendent of the Community College District, will formally present this joint-use proposal to his Board. If that Board supports the proposal, he will continue to work with the Public Library, this Department, the Office of Community Development, and representatives of the Chinatown community, to obtain funds and to develop plans for the new building.

"The information sheet shows the approximate size of the new building, including the space for the Community College Center, the Public Library, some multi-purpose functions and usable open area."

Commissioner Porter asked if the new building would be able to accommodate a neighborhood art center, also. The Director replied in the negative, indicating that the size of the site would limit the multi-use options of the new building.

Dr. Batmale, who was present in the audience, remarked that educational facilities and libraries are quite compatible; and he stated that he was very enthusiastic about the proposed project. He remarked that the Community College District is housed in various places throughout Chinatown at the present time. Land in Chinatown is very scarce and expensive; and, as a result, joint use of the library site seemed to offer many advantages. He offered to answer any questions which might be raised by members of the Commission.

President Newman remarked that the concept of the proposed facility seemed to be most imaginative.

Commissioner Fleishhacker, noting that the proposed building would be significantly larger than the building which presently occupies the site, asked if the staff felt that the proposed building would have a detrimental effect on adjacent residences. The Director replied that it was difficult to answer Commissioner Fleishhacker's question since the proposed building had not yet been designed. The basic concept was for a seven story building to be located on property which has a 105-foot height limit; and he felt that the staff of the Department of City Planning could ameliorate any potential problems as final designs for the building are prepared.

Commissioner Fleishhacker asked if the Community College District had investigated the availability of additional land in the area for possible future expansion of the proposed facility. Dr. Batmale replied in the negative. He remarked, however, that he would not be disturbed by having classes held in churches or other buildings in Chinatown so long as the Community College District has a headquarter's building in the area.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

Lynn E. Pio, Administrative Secretary, reviewed and explained the proposed changes in the Rules and Regulations which were appended to the agenda for this meeting, noting that most of the changes were occasioned by a recent Charter amendment. No one was present in the audience to be heard on this matter.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the proposed amendments to the Rules and Regulations of the City Planning Commission be adopted.

EE75.155 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR NORTH SHORE OUTFALL CONSOLIDATIONS, SAN FRANCISCO WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM III.
(Under Advisement from Meetings of October 30, 1975, November 20, 1975, and December 4, 1975.)

Dean L. Macris, Director of Planning, recommended that this matter be continued under advisement for one additional week to allow for public review of a 40-page addendum to the Environmental Impact Report which had been prepared.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that this matter be continued under advisement until the meeting of December 18, 1975, at 3:00 p.m.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 453099 FOR THE CONSTRUCTION OF A 3-UNIT APARTMENT BUILDING AT 25 SHORT STREET.

Paul Rosetter, Planner II, reported on this matter as follows:

"This is a request for discretionary review of a Building Permit for a 3-unit building at the southwesterly side of Short Street at the intersection with Market Street. The subject lot is of irregular shape with a frontage of about 109 feet on Short Street, about 130 feet on Market Street and an area of 3,212 square feet. It is zoned

R-3, a multiple family district. The lot is vacant but used for parking. The building permit applicant is M. G. Dotterweich Construction Co. and the architect is Harold C. Dow.

"The three unit building would have three floors of occupancy over parking with a two bedroom unit on each floor of occupancy. The project is not subject to environmental review and it conforms to all Planning Code requirements. The site adjoins the Market Street viaduct being 30 to 40 feet below the surface of Market Street. There are mostly single family homes across Short Street which at the Short Street frontage, are typically one floor of occupancy over parking. A large tree exists in front of the site on the wide area between the curb and the street line of about 15 feet in width. This tree would be saved but would be significantly trimmed. The single family home on the lot adjoining to the south east has windows and its main entrance on its side yard of about 10 feet in width which would adjoin the side wall of the proposed building. The properties on either side of Short Street are zoned R-3. R-2 zoning begins midblock between Short and Eagle and east of Yukon Street.

"Request for discretionary review: In a letter dated November 20, 1975, Ms. Kirby Ortiz-de-Montellano and eight co-signers request discretionary review stating that the proposed 40 foot building would be out of scale with the surrounding low profile single family and duplex homes which rise no higher than three stories from the street. The letter requests that the discretionary review cause the elimination of the upper floor of the proposed building and therefore a reduction of the number of dwelling units from three to two. A telephone conversation with Ms. Ortiz this morning, disclosed these additional considerations:

1) The proposed building would block off the afternoon sun and removing the top story would mitigate this effect.

2) Views from Market Street homes would be marred by having to see a roof rather than the greenery and building facades in that view location now.

3) The building would create additional traffic noise, congestion and on-street parking on a presently narrow and congested street.

"Other people Ms. Ortiz talked to before circulating the letter were sympathetic but weren't available at the time of gathering signatures."

Following his presentation, Mr. Rosetter showed several photographic slides of the subject property and the surrounding area.

Commissioner Rueda, noting that the slides had indicated that automobiles are being parked on the subject property at the present time, inquired about the ownership of the automobiles. Mr. Rosetter replied that he believed that the automobiles are owned by residents of Short Street.

Kirby Ortiz de Montellano, 16 Short Street, stated that she and other residents of the neighborhood had requested the discretionary review. She remarked that the proposed building would rise two stories above Market Street; and she felt that it would be grossly out of scale as compared with existing buildings on Short Street and on the opposite side of Market Street. While the proposed building would not block views from the buildings on the opposite side of Market Street, it would mar those views because the roof area of the building would be very prominent. She hoped that the Commission would be willing to undertake the discretionary review and to require that the height of the building be reduced to approximately 30 feet; and she remarked that such a change would be consistent with regulations which had been proposed by the staff of the Department of City Planning during the course of the Residential Zoning Study.

No one else was present in the audience who wished to be heard on this matter.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), remarked that the pavement on Short Street is extremely narrow although the street itself is somewhat wider. However, because of the narrow pavement, the area does have a considerable amount of open space. Residents of Short Street had indicated that they were concerned about the possibility that the proposed building would cast shadows on their houses; but he pointed out that an existing tree casts a larger shadow than would the proposed building. The applicant had originally proposed to remove the tree which is located on City land. Revised plans called for retention of the tree with removal of a large branch which overhangs the subject property. Mr. Steele stated that it did not appear that the proposed building would generate a great deal of automobile congestion or noise; and, if parking problems should arise, the pavement on Short Street could be widened to provide on-street parking. While residents on the opposite side of Market Street

would have a view of the fire escapes and the roof of the proposed building, such views are not unusual in San Francisco; and, even though the proposed building would extend to its side lot lines, there would still be a considerable amount of open space between the proposed building and the adjacent residential structure which is set back from the common lot line. He did not feel that removal of one story from the proposed building would really make a great deal of difference. Under the circumstances, it was the recommendation of the Director of Planning that the request for a discretionary review of the building permit application be denied.

Commissioner Fleishhacker asked if the proposed building would contain the maximum number of units permitted under R-3 zoning standards. Mr. Rosetter replied in the negative, indicating that the applicant could have submitted a proposal for a four-unit building.

After further discussion it was moved by Commissioner Porter and seconded by Commissioner Fleishhacker that the request for discretionary review of the permit application be denied. Commissioner Fleishhacker observed that reduction of the height of the proposed building by one story would benefit only a very small number of people; and he remarked that the recommendations made during the course of the Residential Zoning Study have not yet been adopted or applied to specific areas. When the question was called, the Commission voted unanimously to deny the request for a discretionary review of Building Permit Application No. 453099.

EE75.179 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SOUTHWEST OUTFALL FOR TREATED WASTEWATER MASTER PLAN, SAN FRANCISCO WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM V. (Continued from Environmental Review Officer's Hearing of November 25, 1975.)

Selina Bendix, Environmental Review Officer, reported on the public hearing which she had held on this matter on November 25, 1975.

President Newman then called on members of the audience who wished to address the Commission on this matter. Paul D. Berrigan, Consulting Engineer, read and submitted a prepared statement.

Robert Levy, City Engineer, stated that he was not prepared to respond to the comments which had been made by Mr. Berrigan. Furthermore, he had received another letter concerning the Environmental Impact Report; and he indicated that he would not be in a position to respond to that letter for at least one week.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that this matter be continued under advisement until the meeting of December 18, 1975, at 3:00 p.m.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

STATUS REPORT ON NORTHERN WATERFRONT IMPROVEMENT PLANNING.

Charles Gill, City Planning Coordinator, presented and summarized a report which dealt with the current status of improvement projects on the Northern Waterfront. The report also outlined the staff's proposed work program for Northern Waterfront Master Plan amendments and for preparation of a Total Design Plan for the area in the immediate vicinity of the Ferry Building. After summarizing the report, he responded to questions raised by members of the Commission. The report is available in the files of the Department of City Planning.

CONSIDERATION OF PROPOSED REVISIONS TO RESIDENCE ELEMENT OF MASTER PLAN.
(Under Advisement from Meetings of October 30, 1975, and November 19, 1975.)

Linda Ferbert, Planner II, distributed and summarized a memorandum entitled "Suggested Changes in the Proposed Revisions to the Residence Element". The memorandum, dated December 9, 1975, is available in the files of the Department of City Planning.

Dean L. Macris, Director of Planning, recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby adopt as an amendment to the Master Plan of the City and County of San Francisco and as part thereof, pages 8 through 44 inclusive of the document entitled 'Proposed Revisions to the Residence Element of the Master Plan' dated September 1975, as modified by the memorandum from the Director of Planning to the City Planning Commission dated December 9, 1975, and entitled 'Suggested Changes in the Proposed Revisions to the Residence Element;

"AND BE IT FURTHER RESOLVED, That the President of the City Planning Commission and the Director of Planning shall record the Commission action on this amendment, and

the Secretary of the Commission is hereby directed to certify an attested copy thereof to the Mayor and the Board of Supervisors, and the Director of Planning is hereby directed to publish the amendment for distribution to the public."

Commissioner Mellon expressed concern about the language of Objective II, Policy 2 which the staff had revised to read as follows: "Encourage the conversion of under-used non-residential land to residential use, and encourage new residential development in the downtown area." He, personally, felt that the emphasis should be on encouraging commercial development rather than residential development in the downtown area.

Dean L. Macris, Director of Planning, stated that the purpose of the policy was not to discourage commercial development but to encourage mixed residential and commercial use so that the downtown area will be more lively at night.

President Newman assumed that the staff was thinking in terms of multi-purpose developments such as the Fox Plaza building and not of low-density residential development in the downtown area. The Director confirmed that to be the staff's intent. After further discussion, the Commission agreed that Objective II, Policy 2 should be amended to read as follows: "Encourage the conversion of under-used non-residential land to residential use and encourage multiple residential development in conjunction with commercial uses in the downtown commercial area."

Commissioner Fleishhacker stated that he was concerned about the explanatory text which followed Objective V, Policy 3 in the September, 1975, report on proposed revisions to the Residence Element of the Master Plan. The following sentence had been contained in that explanatory language: "Methods, fair to both landlord and tenant, should be developed to ensure that landlord meet their obligations to provide clean, safe housing." He felt that the sentence, as worded, placed too much emphasis on the landlord's responsibility; and he believed that the sentence should be amended to give responsibility to tenants, also.

The Director recommended that the sentence be changed to read as follows: "Methods, fair to both landlord and tenant, should be developed to ensure that both meet their obligations to provide clean, safe housing." Commissioner Fleishhacker and other members of the Commission agreed that that change would be acceptable.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the resolved clauses of the draft resolution be modified to incorporate the two texts amendments which had been agreed to by the Commission and that the modified draft resolution be adopted as City Planning Commission Resolution No. 7417.

At this point in the proceedings, Commissioner Mellon absented himself from the meeting room for the remainder of the meeting.

CURRENT MATTERS (continued)

President Newman distributed copies of a draft resolution, worded as follows, and suggested that it be adopted by the Commission:

"WHEREAS, In recognition of inadequacies in the present residential zoning controls in San Francisco, dating back to 1960, the City Planning Commission authorized a comprehensive study of residential zoning throughout the city; and

"WHEREAS, The schedule for that study, which commenced in July 1974, calls for the staff to present to the Commission in May 1976 detailed zoning maps and written regulations that will constitute precise proposals for zoning changes; and

"WHEREAS, At each stage of the study the staff has sought the comments and suggestions of neighborhood groups and other interests to help guide the work and shape tentative proposals; and

"WHEREAS, On November 20, 1975, the staff submitted to the Commission an outline of tentative zoning districts and standards for the residential areas of San Francisco, which outline has been widely distributed to neighborhood groups and other interests for review and comment; and

"WHEREAS, On December 11, 1975, the City Planning Commission amended the Residence Element of the Comprehensive Plan, and said amendment includes policies concerning private residential development; and

"WHEREAS, The Residential Zoning Study seeks to balance preservation and change so as to protect the character of existing residential neighborhoods, encourage the retention of sound housing, and provide an adequate stock of suitable housing for residents of San Francisco; and

"WHEREAS, The Commission has reviewed the outline of tentative districts and standards contained in the November 20, 1975, memorandum in relation to the objectives and policies of the amended Residence Element of the Comprehensive Plan;

"THEREFORE BE IT RESOLVED, That the City Planning Commission hereby endorses in principle the outline of districts and standards contained in the November 20, 1975, memorandum entitled 'Residential Zoning Study: Outline of Districts and Standards' as an appropriate means to implement policies of the Comprehensive Plan concerning residential areas, and urges the staff to refine and test the regulations suggested in that memorandum, subject to any modifications that seem advisable during the drafting process, for submission to the City Planning Commission in May 1976."

Commissioner Porter, noting that the composition of the Commission may change under the new mayoral administration, questioned whether it would be appropriate for the present Commission to try to superimpose its policies on the new Commission.

Commissioner Rueda felt that members of the Commission should continue to express their opinions until such time as they are replaced; and he, personally, felt that the approach to zoning suggested in the November 20, 1975,memorandum was quite imaginative. He believed that the Commission should endorse in principle that approach to zoning with the understanding that a subsequent Commission would still be in a position to change the approach if it so desired.

President Newman stated that he agreed with Commissioner Rueda. He felt that the staff of the Department of City Planning had done a good job on the Residential Zoning Study; and he believed that the approach recommended by the staff should be endorsed in principle by the Commission.

Commissioner Fleishhacker indicated that he shared the opinions which had been expressed by Commissioners Rueda and Newman; and he felt that the next Commission would appreciate a statement from the current Commission on the status of the Residential Zoning Study. When the staff's recommendations are submitted to the new Commission in May, 1976, it will be the responsibility of that Commission to determine whether the recommendations should be adopted.

President Newman emphasized that it was his understanding that the position expressed in the draft resolution would not be binding on the next Commission but merely represented the point of view of the present Commission at the present point in time.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7418.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Special Meeting held Tuesday, December 16, 1975.

The City Planning Commission met pursuant to notice in joint session with the Recreation and Park Commission on Tuesday, December 16, 1975, at 2:30 p.m. in the Veterans' Auditorium.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John Crowley, Mortimer Fleishhacker, and John Ritchie, members of the City Planning Commission.

Members of the Recreation and Park Commission who were present were Loris Di Grazia, President; Eugene L. Friend, Vice President; Mrs. Carmen Dominguez, Tommy Harris, Clemens R. Johnson, Mrs. J. Eugene McAteer, and Lucien A. Sabella, members of the Recreation and Park Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Sidney Shaw, Planner IV; and Lynn E. Pio, Secretary. The staff of the Recreation and Park Department was represented by John Spring, General Manager of the Recreation and Park Department; Thomas Malloy, Executive Assistant to the General Manager of the Recreation and Park Department; Joseph Misuraca, Superintendent of Recreation, and Katherine Colzani, Commission Secretary.

Marshall Kildoff represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

Mr. Di Grazia opened the meeting with the following statement:

"Today marks the first joint meeting of the City Planning and Recreation and Park Commissions since the electorate passed Proposition J in November, 1974. As a result of this Charter Amendment there was established an Open Space Acquisition and Park Renovation Fund financed by an annual 10-cent per $100 assessed valuation tax levy for a period of fifteen years. The over-all purpose of this fund is to implement the Improvement Plan for Recreation and Open Space about which I believe Mr. Walter Newman may wish to comment. The Charter specifies that the fund, at least during its first five years, may be used in the following manner:

"15% - Renovation of existing park and recreation facilities with matching funds given to the City.

"10% - Renovation of existing park and recreation facilities without matching funds.

"No less than

"37½%--Acquisition of real property, with at least half the money to be spent in or adjacent to high need neighborhoods. (Note: This reflects the minimum percentage allowable under Charter provision. The first year's budget will include a greater percentage for land acquisition since the 'development of newly acquired land' category does not apply.)

"No more than

"37½%--Development and maintenance of newly acquired properties, and administration of fund. (Maximum percentage allowed.)

"Since passage of the Charter Amendment a little more than a year ago the Recreation and Park Department and the City Planning Department have collaborated closely in developing procedures to implement the Open Space initiative. Many other City departments have also been involved. Importantly, the people of San Francisco have been involved. This was assured by the creation of a 23-member Citizens Advisory Committee which conducted five public hearings on the desires of high-need neighborhoods, renovation, acquisition of open space and development of waterfront areas.

"It is with pleasure, then, that we members of the Recreation and Park Commission join our colleagues, the members of the City Planning Commission today. Ours is an important undertaking. Over the next fifteen years the monies made available to the Recreation and Park Department from the Open Space Acquisition and Park Renovation Fund will guarantee that San Francisco will retain the best urban recreation and park system in the country."

Mr. Newman then made the following statement:

"It gives me great pleasure to take part in today's meeting. This is a significant step for us all. We have started with a base of policy in the Master Plan, jointly developed a program to carry it out, and passed a ballot measure to create a source of funding; now we are considering individual sites for which to use the funds. In this deliberate process, we have achieved something of great importance -- linking of the Recreation and Open Space Element directly with the special Open Space Acquisition and Park Renovation Fund to implement the City's policy.

"The Citizens Advisory Committee has done an excellent job, providing the impetus to get the program started and reviewing all proposals in great detail. The committee members should be congratulated. Additional praise is due the many neighborhood organizations and individuals who have embraced this program and participated throughout.

"This is a proposal for the first two years of the Fund's operation. Through acquiring and developing these and many more properties throughout the city, we can make a real contribution to expansion and improvement of recreation opportunities in San Francisco. There are still 13 more years of funding to go, and by 1990 the fund will have been a major factor in enhancing the quality of life for San Francisco residents."

Mr. Spring presented and summarized his report and recommended expenditure program under the Open Space Acquisition and Park Renovation Fund for the fiscal years 1975-76 and 1976-77.

Mr. Macris stated that the public hearing had also been scheduled to cover proposed amendments to the Recreation and Open Space Element of the Master Plan. His recommendation was that the Master Plan element be amended to designate four additional sites for proposed public recreational use. Those sites were 1) Billy Goat Hill, 2) the Berkeley Way lots, 3) the Kelloch-Velasco block, and 4) the Lathrop-Tocoloma site. He then described those four sites, as follows:

"Billy Goat Hill and the Berkeley Way Lots

"Billy Goat Hill (Assessor's Block 7537, Lot 60, and Assessor's Block 7538, Lot 100) is an uneven, hilly area with some flat portions. It slopes down from Beacon Street in the Diamond Heights area, and contains 153,000 square feet. Billy Goat Hill commands spectacular views of the downtown and the Bay and has significant natural rock outcroppings, grassy areas, and some trees.

"The property is owned by the Redevelopment Agency and was to be developed in residential use. There is evidence of some soil instability on the site, which makes it unsuitable for intensive residential development. The Agency has agreed to change its proposal to develop housing on the hillside if the City decides to purchase it for recreational use.

"The Berkeley Way Lots (presently Assessor's Block 7524, Lot 101) have a 409-foot frontage along Berkeley Way, and a total area of 42,000 square feet. The property borders Glen Canyon, and is visually and topographically a part of the Canyon. The land is a grassy, moderately steep hillside, with excellent views to the west. Paths through the property provide a principal access for many area residents to Glen Canyon.

"The Berkeley Way property is owned by the Redevelopment Agency and was originally to be subdivided and developed in residential use as part of the Diamond Heights redevelopment project. The Agency has agreed to sell it for recreational use.

"Both Billy Goat Hill and the Berkeley Way property were considered for designation in 1973 in the Recreation and Open Space Element as proposed public open space. However, since the properties were then designated

for other use in the Agency's redevelopment plan for Diamond Heights, it was decided not to include them. The diamond heights Association has strongly urged the City to preserve both sites for public open space.

"Because of their significant natural qualities and because the Redevelopment Agency will agree to relinquish these properties, the staff recommends designation of the Billy Goat Hill and Berkeley Way properties for proposed public recreational use in the Master Plan.

"Kelloch-Velasco Block

"The Kelloch-Velasco Block (Assessor's Block 6361) is a vacant block bounded by Kelloch, Velasco and Schwerin Streets in Visitacion Valley. The Block was originally part of the Geneva Terrace-Geneva Towers Planned Unit Development, and the Developer's intention was to develop the block for either townhouses or commercial activities. However, the block was never developed. The developers declared bankruptcy and the American Savings and Loan Association in San Jose has assumed ownership of this property. Since that time, neighborhood residents have strongly urged that the City develop the property as a public park or playground.

"Several factors indicate the desirability of acquiring and developing this property for public recreational use:

"1. Presently developed public recreation space in Visitacion Valley is inadequate to meet the needs of neighborhood residents. Existing local recreation space is limited to a small portion of McLaren Park, one school playground at Visitacion Valley Elementary School, and one mini-park at Campbell and Rutland Streets. The area was designated a 'high-priority' area for recreation facilities in the study entitled 'Program Evaluation, San Francisco Recreation and Park Department' carried out by the Planning Research Corporation in 1971.

"2. Large numbers of children live nearby in Geneva Terrace and Geneva Towers. There are 576 moderate-income units in the two high-rise towers, which have limited recreation space. The 772 units of public housing on Sunnydale also have a great many children.

"3. The lot is zoned for residential use, but current economic conditions do not indicate that development is likely. The current owner is anxious to sell the block.

"4. Widespread community support for recreational development of this block has been indicated by the All Peoples' Coalition, the Geneva Terrace Property Owners Association, the Geneva Towers Tenants Association, and individual local residents.

"Lathrop-Tocoloma Site (Little Hollywood Park)

"At present, the boundaries of the proposed Little Hollywood Park are not adequately described on the 'Citywide Recreation & Open Space Plan' map in the Master Plan. The northern boundary of the area for acquistion is now shown to be south of the ridge separating the industrial and residential uses. The proposed boundaries are as far north as Lathrop Avenue. Therefore, the map should be amended to add to the area designated for acquisition that portion of Assessor's Block 4991, Lot 60, that is zoned R-1, along Lathrop and Tocoloma Avenues."

Diane Hunter and Clair Pilcher, Co-chairpersons of the Open Space and Park Renovation Citizens Advisory Committee, explained that their committee had met as a whole on 16 occasions, had held five public hearings, had formed several subcommittees, and had taken many field trips to acquaint themselves with both the existing Recreation and Park system and properties suggested for acquistion. The report of the General Manager of the Recreation and Park Department represented the culmination of their work to date.

The Commissions then received comments from members of the audience including Don Horontzy, representing the All People's Coalition; Clarence Fleming, representing "Little Hollywood"; Maria Galatti of the Coalition for Improvement of Upper Noe Valley Playground; Stephen Halpern, representing the Golden Gate Heights Association; Roberto Camp, representing Mission Neighborhood Physical Development and The Farm; Bonny Sheck, representing The Farm; Beatrice Laws, representing Neighbors on Stanyan for Tank Hill; Herbert Ziesch, representing the Hayes Valley Association; Burt Schwarzschild, representing the Eureka Valley Association; Mrs. Dorice Murphy, representing the Eureka Valley Promotion Association; Stanley Lee, representing the Committee for Better Parks and Recreational Facilities in Chinatown; Judy Creighton, representing the Glen Park Association; Terry Covert, representing Nob Hill Neighbors; Kirby Ortiz De Montellano, representing the Eureka Valley Promotion Association; Barbara Marsh, representing the Funston-Marina Junior Women's Club; Harold Retler, 55 Lundys Lane; Jack Wickert, representing The Farm; J. Pat Reeves, representing the Folsom Block Club; Caroline Shaffer, representing the San Francisco Ecology Center; Gill Rankin, Principal of the LeConte Elementary School; Alexandra Dilworth, representing Friends of Noe Valley; Ken Hoegger, representing the Sunnyside Neighborhood Association; and Toby Levine, representing the Mission Planning Council. Most of these individuals expressed their endorsement of the General Manager's report or of specific recommendations which it contained. Mr. Halpern suggested that consideration should be given to using some of the money available for down payments on properties to be paid for in full in subsequent years. He believed that the interest cost resulting from that approach would be less than the inflation of land values; and the properties would be available to the public at an earlier date. Mr. Covert expressed disappointment that the General Manager of the Recreation and Park Department had not recommended the acquisition of a parcel of property on Nob Hill; and he asked that action on the report on the General Manager's report be delayed for at least 30 days so that the general public would have

an opportunity to study the document. Mr. Retler suggested that priority should be given to planting hilltops throughout the City with young trees. He felt that such a program should be undertaken as soon as possible since it takes so long for trees to mature. Mr. Reeves took the position that acquisition of the "The Farm" site at Potrero and Army Streets would not meet the needs of the Mission District.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7419 be adopted and that the Recreation and Open Space Element of the Master Plan of the City and County of San Francisco be amended as previously recommended by the Director of Planning.

Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Elliott, and carried unamimously that Resolution No. 7420 be adopted with the following resolve:

> "THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby approve the program contained in the 'General Manager's Report: Open Space Acquisition and Park Renovation Fund, Fiscal Years 1975-76 and 1976-77', dated December 16, 1975, which program is hereby found to be in accordance with the Recreation and Open Space Programs document approved by the City Planning Commission on July 19, 1973, and said document is hereby modified to include the more specific program actions set forth in the submitted report."

It was then moved by Commissioner Dominguez, seconded by Commissioner Johnson, and carried unanimously that the General Manager's report and recommendations be adopted by the Recreation and Park Commission.

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 18, 1975.

The City Planning Commission met pursuant to notice on Thursday, December 18, 1975, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley and John Ritchie, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; William Duchek, City Planning Coordinator; Alec Bash, City Planning Coordinator; Janis Birkeland, Planner III-Urban Design; Ralph Gigliello, Planner II; Douglas Holmen, Planner II; Paul Rosetter, Planner II; and Lynn E. Pio, Secretary.

Marshall Kilduff represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meetings of November 19 and December 9, 1975, be approved as submitted.

CURRENT MATTERS

In response to a recommendation made by Dean L. Macris, Director of Planning, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Regular Meetings which would have been held on Christmas Day and New Year's Day be cancelled.

President Newman and other members of the Commission noted that Commissioner Porter had resigned after having served on the Commission for a total of 24 years; and they commented on the high quality of service which she has rendered to the community in the role of a Planning Commissioner.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Regular Meeting scheduled for Thursday, January 8, 1976 be changed to Wednesday, January 7, in view of the fact that the resignations which had been submitted by Commissioner Porter and Commissioner Ritchie are scheduled to be effective on January 8, posing possible quorum problems for the Commission.

CONSIDERATION OF PROPOSAL TO GRANT A CERTIFICATE OF MERIT TO THE CHARTERED BANK OF LONDON'S BANKING HALL AT 465 CALIFORNIA STREET.

Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, described the historic and architectural characteristics of the Trading Hall in the Merchants Exchange Building which has recently been restored by the Chartered Bank of London which will open offices in the Trading Hall during the week of January 5, 1976. She explained that the Landmarks Preservation Advisory Board had wished to confer Landmark status on the facility; but that process could not have been completed prior to the grand opening. Therefore, the Landmarks Preservation Advisory Board had recommended that the Banking Hall be recognized as a structure of merit.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7421 be adopted and that the Banking Hall in the Merchants Exchange at 465 California Street be awarded a Certificate of Merit.

CURRENT MATTERS, CONTINUED

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), requested the Commission to give him the benefit of their advice and counsel with respect to his interpretation of a proposal by Montage, Ltd. for use of residentially zoned property at 1990 California Street as a private club. The question hinged upon whether or not the chief activity of this use would be dining or the enhancement of the arts. If the chief activity of the use were to be dining, a conditional use application for the use could not be accepted because Section 204.2 (d) of the City Planning Code specifies that private clubs or lodge buildings may be authorized as conditional uses in residential districts, "excluding those in which the chief activity is one customarily carried as a gain for business." After considering the matter, he had made the interpretation that Section 204.2 (d) of the City Planning Code would expressly exclude the application of Montage, Ltd. from consideration by the Commission for conditional use authorization for the following reasons which were stated in a letter to the applicant dated December 17, 1975:

"1. The plans and prospectus of the proposed use of the 1990 California Street submitted by Montage, Ltd. indicate that the chief activity proposed at that address is the serving of food and drink. The plans indicate specifically on the basement level a main Kitchen, a chef's office, pantry and wine storage rooms, and a 'Teak Room Bar'. On the main floor level there is another kitchen, a buffet room, a wine tasting room and service bar. On the top floor level there are six more kitchens and six dining rooms seating a total of 54 guests. The prospectus describes the proposed use as a 'private dining club for patrons of the arts in San Francisco...a private dining and supper club dedicated to haute cuisine...(with) seven dining rooms, capable of serving 75 members and guests.'

"2. The serving of food and drink is an activity customarily carried on as a gainful business. Where such activity is clearly accessory to a private club or lodge then paragraph (d) would permit application for conditional use status. However, Montage, Ltd. describes itself as a 'private dining and supper club' first, and only secondly as an organization dedicated to the support of the arts.

"3. There appear to be no rooms other than small offices that would be used for purposes other than the serving of food and drink alone, or the serving of food and drink and small-scale artistic presentations, as in an exclusive restaurant or supper club.

"While there is no doubt that organizations directly or indirectly dedicated to the support of the performing and fine arts are commendable, the provisions of the Planning Code in this matter are neither ambiguous nor unclear. There is no specific authorization in the Code for a 'private dining room and supper club' in an R-3.5 use district to be heard as a conditional use application by the Planning Commission."

During the course of Mr. Steele's presentation, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

After discussion, President Newman announced that it was the consensus of the Commission that it appeared that the primary activity of the use would be dining, an activity customarily carried on as a gainful business; and, for that reason, the Commission

concurred with the Zoning Administrator that the use would not be a proper subject of a conditional use application.

CONSIDERATION OF PROPOSED GUIDELINES FOR BANK AND SAVINGS AND LOAN BRANCH OFFICES.

President Newman read the following letter which had been received from Gregory P. Hurst of the Greater San Francisco Chamber of Commerce:

"The Greater San Francisco Chamber of Commerce is pleased to have taken part in the preparation of the draft guidelines for banks and the Savings & Loan Association branch offices. We think this is an excellent example of how to deal with the many problems that face San Francisco today. It is our opinion that many, many difficult situations can be avoided by getting the people who are most directly involved to exchange their viewpoints in order to obtain a fuller understanding of the situation at hand.

"These guidelines have been the work of not only the City Planning Department, but financial institutions in San Francisco, neighborhood merchant groups and other interested persons.

"All the financial institutions that participated are willing to work within these guidelines to the best of their ability. Their willingness to do this is a clear indication of their desire to cooperate with the Department of City Planning as well as neighborhood merchant groups.

"We would hope that the staff of the Department of City Planning will have the necessary flexibility to work within the guidelines and accept the fact that in some cases 100% compliance might not be possible.

"Although we accept the guidelines as presently drafted, we would like to suggest one possible change that we believe would be agreeable to everyone concerned.

"Section A, Item 1, says that branches should be limited to 5,000 square feet. We would like this to apply to the gross ground floor area only. This would allow for mezzanine and second floor space to be used for non-banking functions.

"Once again, we feel these guidelines will solve the problems and feel they eliminate the need for any legislative action on the part of the city that could restrict the expansion of financial institutions."

Janis Birkeland, Planner III-Urban Design, introduced this matter as follows:

"During the past few years there has been a growing number of branch offices for banks and savings and loan facilities in neighborhood shopping areas. As a result, merchant groups, neighborhood organizations and individual citizens are becoming increasingly concerned about the impact these branch offices are having on their shopping areas, particularly in regard to the number and size of these new facilities. In response to these concerns, the staff of the Department of City Planning has been exploring approaches for managing the number and character of branch offices for banks and savings and loan associations in neighborhood shopping areas.

"The staff felt that the most effective way of doing this would be to clarify what the Planning Department sees as the major planning issues involved in the location and design of branch office facilities, and to make sure that members of the banking and savings and loan industry were aware of these considerations before beginning to look for a site in San Francisco.

"Consequently, the draft guidelines you have before you were developed to spell out the general criteria to be used by the Planning Department in its review of permit applications for the construction or major expansion of branch banks or savings and loan facilities.

"Final guidelines, if endorsed by the Commission, would be made available to all persons that might be considering development of such facilities in San Francisco.

"Applications for such projects that do not meet the standards specified in these guidelines and, in the opinion of the department staff, would result in detrimental effects on the surrounding area, would then be brought before the Commission for review under its discretionary powers.

"In writing these guidelines, the staff worked with members of the banking industry as well as with merchant groups, through the assistance of the Chamber of Commerce.

A first draft was distributed on August 8, and several meetings were held since that time to resolve conflicting points of view. This dialogue was very constructive, and general agreement on the content of the guidelines was finally reached.

"Upon arriving at a consensus among some of the key groups involved, the department staff then broadened the scope of public review by distributing these draft guidelines to over 50 neighborhood organizations for their evaluation and comment."

Ms. Birkeland then proceeded, with the use of photographic slides, to describe the type of problems which the proposed guidelines were intended to avoid or ameliorate; and she then summarized the guidelines which are contained in a memorandum dated November 26, 1975, which is available in the files of the Department of City Planning.

Fred Martin and Kerry Curtis, representing the Bank of America, called attention to the points raised in a letter which had been submitted to members of the Commission by Mr. Curtis. The letter read as follows:

"On behalf of Bank of America, I would like to voice our general agreement with the goal of the proposed 'General Guidelines for Banks and Savings and Loan Association Branch Offices' in maintaining strong and viable neighborhood shopping areas.

"These guidelines as developed reflect a composite of legitimate concerns by a various neighborhood groups, merchants and financial institutions in San Francisco. We are particularly pleased that the standards and provisions outlined will be 'evaluated on an individual basis.' I quote this statement from the guidelines because our service problems may require a somewhat broader interpretation. Let me elaborate on this point.

"Plans for community offices are developed based upon a forecast of consumer service demand. In order to provide acceptable service and to assist the public in their need for financial services without sacrificing standards of public convenience, these functions must be available on the ground floor:

"1. Lobby space (width) to accomodate customers, especially during peak periods.
"2. Teller windows and work space for tellers.

"3. Interior work space which must be quickly accessible to tellers, especially reference files and account status records.
"4. Area for special handling of merchant deposits, coin, and currency exchanges (special deposit booths provided for security of merchants and faster service).
"5. Safe deposit vault and private booths for safe deposit customers. (It is not feasible to put the vault anywhere but on the main banking floor.)
"6. Access to bank officers and customer service representatives.
"7. Special facilities for the handicapped (where required).

"Space limitations should not be so restrictive that customers, which include the area merchants, are penalized. In offices being established for the first time, 5,000 square feet of ground floor space will usually be sufficient. However, in the case of long-established branch offices with large numbers of customers, the 5,000 square feet of ground floor space may not be sufficient if consumer services are to be provided in an efficient manner. We would for this reason prefer to see some flexibility in the wording of item A. 1. An alternative might read as follows:

> "Branch office facilities having more than 5,000 square feet of gross ground floor space are generally inappropriate in neighborhood shopping areas. In the case of long-established branch offices with large numbers of customers, ground floor space in excess of 5,000 square feet is acceptable if a clear need can be demonstrated in the interest of acceptable quality of service.

"As a full-service financial institution, I believe the services we provide enhance and add to the economic viability of the neighborhoods in San Francisco. We serve many valued customers, including many merchants in the district shopping areas. As Commissioners, I hope you will look favorably upon this specific request, and will consider the need for flexibility in the administration of these guidelines.

"In closing let me say that we support your efforts as representative of the good faith intentions of all concerned. I am sure that where differences exist solutions will be found in the context of good planning.

"Thank you for this opportunity to present our views. If we can be helpful by providing additional information or answering questions, we will be pleased to do all we can."

Dean L. Macris, Director of Planning, remarked that the staff had received a letter from Joel Budgor, a staff member of the Sunset Parkside Education And Action Committee, which expressed the opinion that the 5,000 square foot limitation was excessive. In view of the concerns which have been expressed with regard to that issue, he suggested that the Commission might wish to modify the guidelines to specify that "branch office facilities having more than 5,000 square feet of gross floor area at ground level are inappropriate in neighborhood shopping areas." He stated that the staff would not want to encourage banking activities at the second and third floor levels of buildings in neighborhood shopping areas because those floors might otherwise be used for housing. In reply to a question raised by Commissioner Fleishhacker, the Director acknowledged that banks and savings and loan institutions would probably not construct new buildings with dwelling units on the second and third floor levels; but they may convert the ground floor level of existing buildings where housing already exists on the second or third floor levels.

Commissioner Fleishhacker then asked if it would be clear to someone reading the guidelines that they were intended to apply only to banks and savings and loan association branch offices proposed in neighborhood shopping districts. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), replied that the guidelines specified that the shopping areas of concern are within the boundaries of the C-1 and C-2 zoning districts.

Commissioner Porter suggested that the concern of the Bank of America might be satisfied if the guidelines were to be modified to specify that any branch office facility having more than 5,000 square feet of gross floor area would be subject to discretionary review by the City Planning Commission.

Mr. Steele responded that it would be the intention of the staff to bring before the Commission for discretionary review any proposal for a branch office which would appear to have a detrimental effect; and neighborhood representatives could always ask for discretionary review if they were dissatisfied with a particular proposal. He mentioned that the Board of Supervisors had requested the City Planning Commission to consider a City Planning Code amendment which would specify that branch banks and fast food facilities must be authorized as conditional uses; but his personal feeling was that it would be more appropriate for the Commission to rely on the staff of the Department of City Planning to screen the various applications and to make recommendations concerning which ones should be brought before the Commission for discretionary review.

Commissioner Rueda asked to be excused from voting on this matter. It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that his request be granted.

It was then moved by Commissioner Mellon and seconded by Commissioner Fleishhacker that the proposed guidelines be amended as recommended by the Director earlier in the meeting.

Finally, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7422 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission hereby endorses said guidelines and directs the Department of City Planning staff to review all building permit applications filed for construction of new branch facilities for banks, savings and loan associations, title companies and other similar institutions in neighborhood shopping areas, or for major expansion of such uses now existent, and to submit to the Commission for review under its discretionary powers any such applications that propose construction that in the opinion of the Department staff would result in detrimental effects on the surrounding commercial and residential neighborhoods; and

"BE IT FURTHER RESOLVED, That the Zoning Administrator is hereby directed to send copies of this resolution and the guidelines to members of the State and Federal banking agencies, members of the financial industry, and such other persons as the Zoning Administrator believes could provide notice of this resolution to potential applicants for branch offices of banks, savings and loan associations or other financial institutions."

Commissioner Rueda abstained from voting on these matters.

R118.75.22 - PUBLIC HEARING ON TENTATIVE MAP FOR A 5-UNIT CONDOMINIUM SUBDIVISION AT 815 SOUTH VAN NESS AVENUE, LOT 26 IN ACCESSORS BLOCK 3594.

Alec Bash, City Planning Coordinator, reported on this matter as follows:

"The proposal is to convert a three story, former 6-unit apartment building, presently with 5 units, into 5 condominium units. A former first floor unit with

inadequate access has become common area. The building was constructed in 1875. The building was acquired by the Mission Housing Development Corporation (MHDC) following a rent strike of several years by previous tenants. Those tenants received relocation payments when the building required vacation for extensive rehabilitation work; it had been under condemnation. Three of those tenants returned following completion of the repairs, and are presently paying monthly rents of $150; they have applied to purchase units upon conversion. The units to be converted would have four rooms and one bath, and would have a sales price of approximately $25,000. This would correspond to monthly payments, including mortgage, property tax and condominium association dues, of approximately $250, independent of any tax savings.

"The City Planning Code would permit 18 units on this site, and for such new construction would require 18 off-street parking spaces. As an existing building, this conversion is permitted by the Code.

"The Subdivision Code requires that the City Planning Commission determine whether any units to be converted are part of the City's low or moderate income housing stock, and if any units are found to be so, then the price of the units upon conversion must not remove them effectively from such housing stocks. The Code further calls for a sales program which promotes affirmative action in housing, a nontransferable tenant right of first refusal to purchase the unit occupied by the tenant, and various relocation requirements. The Code also states that when the City Planning Commission determines that vacancies in the project have been increased for the purposes of preparing the project for conversion, the Tentative Map shall be disapproved.

"Monthly rentals of $150, when figured as 25 percent of the monthly income of a tenant, correspond to an annual tenant income of $7200. This would place the unit within the limits of low income housing stock, as interpreted by the Subdivision Code and the U. S. Department of Housing and Urban Development, as it is within the capabilities of a family of four with an annual income of $12,441. The accepted standard for purchase price of a home is 250 percent of the annual income, which for the upper limit of the low income housing stock would correspond to a purchase price

of approximately $31,100. The proposed purchase prices are estimated at $25,000. The prices of the units upon conversion, therefore, are not considered as removing them effectively from the City's low income housing stock."

Commissioner Fleishhacker remarked that the proposed purchase price of $25,000 seemed to him to be in the moderate income range rather than in the low income range. Mr. Bash replied that $25,000 per unit for a family of four in San Francisco is considered to be in the low-income range.

Bill Mehegan, 837 South Van Ness Avenue, asked if there were any precedents for condominium ownership in the Mission district; and, if so, he wondered what effect the existing condominium apartment buildings have had on the surrounding neighborhood. He stated that he was primarily concerned with the degree of responsibility the owners of the subject building would have with regard to maintenance of the building.

Dean L. Macris, Director of Planning, stated that he was not aware of any condominium apartment buildings in the Mission district; and, in fact, there are not many buildings of that sort in San Francisco. He remarked, however, that most condominium apartment buildings have an association which is responsible for general maintenance; and, since the owners of the condominium units would more than likely be living on the premises, he felt that it would probably be easier for neighbors to raise complaints under such circumstances than in cases where buildings are owned by absentee landlords.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), distributed and recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the units to be converted are determined to be part of the low income housing stock of the City, and the purchase prices as proposed are not such as would effectively remove them from such low income housing stock;

"AND BE IT FURTHER RESOLVED, That the City Planning Commission does hereby find that the condominium subdivision of 815 South Van Ness Avenue, Lot 26 in Assessor's Block 3594, as set forth in a tentative map submitted with the referral, is consistent with the Master Plan; provided, however, that the following conditions are complied with:

"1. The price of the units upon conversion shall not be such as to remove them effectively from the City's low income housing stock, as required by Section 1385(b) of the Subdivision Code.

"2. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.

"3. The present tenant or tenants of any unit to be converted shall be given a non-transferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.

"4. The subdivider shall comply with any applicable temporary, permanent, and low and moderate income relocation requirements of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code."

Commissioner Fleishhacker noted that the present tenants of the building are paying $150 a month rent; and, once they have purchased the units at an estimated price of $25,000, they will be faced with carrying charges of at least $250 a month. Under the circumstances he felt that the results of the proposed condominium conversion would be to effectively remove the units from the low-income housing stock.

Commissioner Rueda stated that he tended to be opposed to the condominium conversion of older buildings; and he doubted that it would be wise for people to purchase units in a building which was constructed in 1875.

Mr. Bash stated that the Mission Housing Development Corporation had spent more than $70,000 to bring the building up to code standards; and the objective of that organization was to provide home ownership opportunities for people who would not ordinarily be able to afford to purchase a home on the open market. Although the proposed sales price of $25,000 per unit might seem to be higher than what is ordinarily thought of as low-income housing, most housing in San Francisco would cost at least twice that much money. The previous tenants of the building had received relocation payments; and those payments would cover the cost of a downpayment for one of the units in the subject building.

In addition, the Mission Housing Development Corporation has its own financing program. Again, he emphasized that the analysis which had been made by the staff indicated that the proposed sale price of $25,000 would not effectively remove the units from the City's low-income housing stock.

Commissioner Rueda felt that the proposed sales price of $25,000 per unit was reasonable; but he questioned whether the units would remain in the low-income housing stock as they are sold in the future.

Commissioner Porter observed that rental rates for the units might be increased in the future if the proposed condominium conversion was not approved; and, as a result, the units might be removed from the low-income housing stock in any case.

The Director asked if the present rental rates of $150 had been set before or after the building was rehabilitated. Mr. Bash replied that the rate had been set after the rehabilitation; however, it was clear that the rates had been set for an interim period until such time as the proposal for condominium conversion is approved.

Virginia Mehegan, 837 South Van Ness Avenue, asked if the estimated carrying charges of $250 a month would include tax payments and maintenance expenses. Commissioner Fleishhacker replied that the case report which had been prepared by the staff indicated that the carrying charges would cover mortgage, property tax and condominium association payments.

Commissioner Rueda asked if the dwelling units under consideration could be regarded as "subsidized housing". The Director replied that the units are being offered through special programs developed by the Mission Housing Development Corporation which is an arm of a Model Cities Agency funded by the Department of Housing and Urban Development. He recommended that the matter be taken under advisement until the meeting of January 7, 1976, so that a representative of the Mission Housing Development Corporation could be present to provide more information for the Commission.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that this matter be taken under advisement until the meeting of January 7, 1976.

EE74.322 - CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR 595 MARKET STREET, A PROPOSED 30-STORY OFFICE BUILDING AT THE SOUTHEAST CORNER OF SECOND AND MARKET STREETS.

Ralph Gigliello, Planner II, summarized the Environmental Impact report which had been prepared for the proposed project. He then responded to questions raised by members of the Commission.

When President Newman called for public testimony, Dennis Kent, 3206 Harrison Street, commented on certain aspects of the report. Selina Bendix, Environmental Review Officer, responded to his comments.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated December 18, 1975, concerning 595 Market Street is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission, before acting on the project itself under CU75.32 and DR75.14, does hereby certify that it has reviewed and considered the information contained in said Final Environmental Impact Report."

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7423.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU75.32 - CONSIDERATION OF REQUEST FOR CONDITIONAL USE AUTHORIZATION TO EXCEED THE BULK LIMIT IN THE CONSTRUCTION OF A PROPOSED OFFICE BUILDING AT 595 MARKET STREET.

William Duchek, City Planning Coordinator, remarked that the proposed project had been described in the Environmental Impact Report which had just been considered by the Commission. He continued his report, as follows:

"The proposal needs a Conditional Use to authorize exception to the bulk limits. This deviation would occur

between the 150-foot and the 402-foot level where the length dimension would be 200 feet, where the Code would permit a maximum of 170 feet without conditional use review.

"The overall form of the tower would be a six-sided lozenge shape in plan. Each of the six sides would be significantly under the allowed maximum plan length dimension of 170 feet (maximum approximately 96 feet), contributing to a less bulky appearance. The setback of the tower atop the base element at the Market and Second Streets intersection would diminish the apparent bulk of the building when viewed from the pedestrian level.

"The proposed building would measure approximately 402 feet in height, about 300 feet less than the height limit for the site and less than the height of recently constructed buildings in the area,such that the silhouette which would be produced would not stand out in the skyline, but would be harmonious with surrounding building patterns.

"A rectilinear tower could be built on the site up to a maximum gross floor area of about 467,000 square feet. Conforming to bulk limits and providing space similar in plan to that proposed would result in a tower of about the same height as that proposed. Alternatively, a taller, more slender tower could be constructed, up to the height limit of 700 feet; such a building might stand out to a greater degree in the skyline.

"A wind tunnel test was conducted to compare a slightly lower rectilinear tower to the proposed design. In general, winds would decrease along Market Street and increase along Second Street with either option. Because of lighter winds in critical areas during the most common wind directions, northwest and west, the six-sided lozenge shape option as proposed appears to offer a slight advantage over the rectilinear option."

Commissioner Fleishhacker remarked that the intent of the bulk limit was to prevent bulky looking buildings. However, as designed, the proposed building would have a bulky look as viewed from Post Street. Mr. Duchek replied that two larger facades would have been seen from Post Street if a rectilinear tower had been proposed; and, in that event, the building would have had a more bulky appearance.

Dennis Kent, 3206 Harrison Street, urged that the conditional use authorization be denied and that the application be required to conform to the bulk limits of the City Planning Code. The lower 150 feet of the building as proposed would not require a variance from the bulk limits; and he felt that a building of that height would be preferable to the one which was being proposed.

Clifton C. Brinkley, representing the developer, stated that the proposed building would not literally violate the intent of the bulk restrictions contained in the City Planning Code insofar as a much larger and more bulky building could have been constructed if a rectilinear structure had been proposed. The building, as proposed, would have 25% less floor area than a rectilinear tower; and a rectilinear tower would not have required a variance from the bulk limits of the City Planning Code.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended that the conditional use application be approved subject to eight specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Brinkley replied in the affirmative.

Commissioner Fleishhacker asked why the staff had recommended the inclusion of condition number six, which read as follows: "The second floor and mezzanine shall be available exclusively for office type uses and not for retail activities."

Mr. Duchek replied that the proposed building would have insufficient dock space for truck loading under the terms of the City Planning Code if the second floor and mezzanine were to be used for retail activities.

Commissioner Fleishhacker then suggested that the condition might be reworded to specify that the second floor mezzanine should not be used for any uses which would require the provision of additional off-street loading space. Mr. Steele agreed that such a change would be acceptable.

Commissioner Fleishhacker then noted that condition number two of the draft resolution specified that "glass used for windows on the ground, second, and mezzanine level shall be clear and untinted". He stated that he felt that that condition was unduly restrictive; however, he agreed that there would be no reason to change the wording of the condition if the applicant had no objection to it.

Mr. Duchek explained that the staff had included that condition because it felt that it was important that inside activities should be visible from the pedestrian level.

Commissioner Porter remarked that draperies may be hung on the inside of the building in any case, and they would effectively block the pedestrian view of inside activities.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the draft resolution, as modified, be adopted as City Planning Commission Resolution No. 7424 and that the application be approved subject to the conditions which had been recommended by Mr. Steele, as amended.

DR75.14 - DISCRETIONARY REVIEW OF BUILDING APPLICATION NO. 454053 FOR CONSTRUCTION OF AN OFFICE BUILDING AT 595 MARKET STREET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), remarked that the proposed project had been described in the Draft Environmental Impact Report which had been considered by the Commission and had been further discussed during the public hearing on the conditional use application. He indicated that it was the recommendation of the Director of Planning that the building permit application be approved subject to the same condition which had been included in the resolution granting the conditional use authorization.

Dennis Kent, 3206 Harrison Street, remarked that construction of the proposed building would require the demolition of the Balboa Building; and he felt that that building, which he regarded as a structure of merit, should be retained. He noted that the Environmental Impact Report for the project had stated that approximately 46,200 gallons of sewage would be discharged into the City's sanitary sewer system by the proposed building each day; and he remarked that the City's sewer system is not adequate to meet current needs. Furthermore, he felt that downtown San Francisco, and Market Street in particular, already has enough high-rise buildings. The proposed building would create additional shadows; and it would bring additional traffic conjestion to the area. In addition, he believed that the proposed building would require greater expenditures for City services than it would provide in revenues to the tax base.

Selina Bendix, Environmental Review Officer, stated that three alternate designs had been considered for the proposed building; and each of those alternates had been subjected to wind tunnel and shadow studies. Those studies had indicated that the design which had finally been proposed would cast the least amount of shadow on

Market Street and would create less wind problems than the other alternates. Therefore, the staff of the Department of City Planning had been able to indicate a preference for the proposed design.

Commissioner Fleishhacker stated that all of the evidence he had seen indicates that high-rise buildings more than pay for their way; and he regarded Mr. Kent's comments to the effect that high-rise buildings do not return to the tax base enough revenue to offset the cost of the services which they require as a statement of opinion rather than fact.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7425 and that Building Permit Application No. 454053 be approved subject to the conditions contained in the draft resolution.

At 4:10 p.m. President Newman announced a ten-minute recess. The Commission reconvened at 4:20 p.m. and proceeded with hearing of the remainder of the agenda.

EE75.155 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR NORTH SHORE OUTFALL CONSOLIDATIONS, SAN FRANCISCO WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM III.
(Under Advisement from Meetings of October 30, 1975, November 20, 1975, December 4, and December 11, 1975.)

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that the public hearing on this matter had been concluded; and the staff was prepared to respond to the comments which had been made by members of the public on the Environmental Impact Report.

Selina Bendix, Environmental Review Officer, noted that the staff's written responses to the comments which had been received had been available for review for approximately one week; and she indicated that she would be willing to respond to any questions which might be raised by members of the Commission. She also stated that Chapter VII of the Environmental Impact Report had been revised so that the information was available in a better organized fashion.

After discussion, Mr. Steele distributed and recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission hereby find that the Final Environmental

Impact Report, dated December 18, 1975, concerning San Francisco Wastewater Master Plan Implementation Program III North Shore Outfalls Consolidation is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimoulsy that the draft resolution be adopted as City Planning Resolution No. 7426.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

EE75.179 - CONSIDERATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SOUTHWEST OUTFALL FOR TREATED WASTEWATER MASTER PLAN, SAN FRANCISCO WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM V.
(Under Advisement from Environmental Review Officers Hearing on November 25, 1975, and City Planning Commission Meeting of December 11, 1975.)

Selina Bendix, Environmental Review Officer, reviewed the staff response to the various comments which had been made by members of the public during the public hearings on the subject Environmental Impact Report. She further explained that the comments and the staff responses would become a part of the Environmental Impact Report.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated December 18, 1975 concerning (title) San Francisco Wastewater Master Plan Implementation Program V Southwest Outfall is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7427.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

EXECUTIVE SESSION

The Commission met in Executive Session to consider the appointment of an Acting Director of Planning and voted unanimously to appoint Edward I. Murphy to the position.

The meeting was adjourned at 4:40 p.m. with sincere appreciation for the years of devoted service rendered by Mrs. Charles B. Porter as a member of the City Planning Commission.

Respectfully submitted,

Lynn E. Pio
Secretary